

No. 3491

**BELGIUM
and
FRANCE**

Protocol (with exchange of letters) concerning old-age pensions payable under Belgian legislation to self-employed persons. Signed at Paris, on 18 July 1956

Official text: French.

Registered by Belgium on 15 August 1956.

**BELGIQUE
et
FRANCE**

Protocole (avec échange de lettres) relatif à la pension de vieillesse des travailleurs indépendants dans le cadre de la législation belge. Signé à Paris, le 18 juillet 1956

Texte officiel français.

Enregistré par la Belgique le 15 août 1956.

[TRANSLATION — TRADUCTION]

No. 3491. PROTOCOL¹ BETWEEN BELGIUM AND FRANCE
CONCERNING OLD-AGE PENSIONS PAYABLE UNDER
BELGIAN LEGISLATION TO SELF-EMPLOYED PER-
SONS. SIGNED AT PARIS, ON 18 JULY 1956

The Government of Belgium and the Government of France,

Considering, first, that non-wage-earning Belgian nationals, in cases where it has been established that their resources are inadequate and provided that they have resided in France for an uninterrupted period of at least fifteen years at the date of the application, can claim the French allowance payable pursuant to the Acts of 17 January 1948 and 10 July 1952, and also the special allowance introduced under the Act of 10 July 1952 ;

Considering, secondly, that since 1 January 1954, all self-employed persons in Belgium, regardless of nationality are required to contribute to the financing of old-age pensions payable under the voluntary insurance system ; and that this measure is only temporary, the Belgian Parliament having under consideration a bill to provide an old-age pension scheme for all self-employed persons ;

Are agreed upon the following provisions :

Paragraph 1

The bonus on old-age annuity after inquiry into means, payable pursuant to the Order of the Regent dated 12 September 1946, consolidating the provisions respecting insurance against old-age and premature death, as amended by the Legislative Orders of 8 January and 25 February 1947, by the Acts of 1 July 1948, 30 December 1950 and 13 July 1951, by the Royal Order of 13 October 1953 and by the Act of 11 March 1954, shall be granted under the same conditions as for Belgian nationals, to French nationals who have completed not less than fifteen years of uninterrupted residence in France at the date of the application.

Paragraph 2

All benefits which may be payable under the provisions which are due to supersede the Act of 11 March 1954 shall be granted to French nationals under the same conditions as for Belgian nationals.

Paragraph 3

The bonus on old-age annuity and the benefits referred to in the preceding paragraphs shall cease to be paid to beneficiaries of French nationality upon their leaving Belgian territory.

¹ Came into force retroactively on 1 January 1954, in accordance with paragraph 4. This Protocol is not applicable to the Territories of Belgian Congo and Ruanda-Urundi.

Paragraph 4

The present protocol shall come into force on 1 January 1954.

It may be denounced upon three months' notice.

DONE in duplicate at Paris, on 18 July 1956.

(Signed) Baron GUILLAUME

(Signed) Philippe MONOD

EXCHANGE OF LETTERS

I

MD.CC.

Liberty—Equality—Fraternity

FRENCH REPUBLIC

MINISTRY OF FOREIGN AFFAIRS

Department of Administrative and Social Affairs

Conventions

C. A. 3.

Paris, 18 July 1956

Your Excellency,

During the negotiations held at Paris in December 1954 between the representatives of the French and Belgian Administrative authorities designated to study problems arising out of the application of the Franco-Belgian social security agreements, consideration was given to the right of French workers employed in Belgium to family allowances in respect of children brought up in Algerian departments.

It was agreed that the Belgian authorities shall pay to children brought up in the Algerian departments and having French parents employed in Belgium the allowances classified under the Belgian social security system as children's allowances properly speaking, i. e. excluding any special family allowances or bonuses payable under Belgian provisions; the allowances shall be payable in respect of the legitimate children of the worker himself or of his spouse and in respect of the children of their marriage, during periods of actual employment (work) and periods assimilated thereto under the provisions applicable in Algeria, on the understanding that such allowances shall be discontinued on the worker's death or on the cessation of his employment in Belgium.

Allowances to families still resident in the Algerian departments shall be paid by the Caisses interprofessionnelles algériennes d'allocations familiales (Algerian inter-occupational family allowances fund).

A liaison agency with headquarters in metropolitan France shall be responsible for the transfer of funds and the transmission of any necessary supporting documents.

Allowances shall be paid in accordance with the rates laid down by the provisions governing family allowances in the Algerian departments, subject to the

proviso that the total amount paid to each family shall in no case exceed that of the allowances payable under Belgian provisions to a family of similar composition.

I have the honour to propose that the date of application of the above measures should be fixed at 1 April 1955.

I should be grateful if you would inform me whether these provisions meet with the approval of the Belgian Government.

I have the honour to be, etc.

For the Minister :
(Signed) Philippe MONOD
Minister Plenipotentiary,
Director of Administrative and Social Affairs

His Excellency Baron Guillaume
Ambassador of Belgium
Paris

II

BELGIAN EMBASSY

No. 11.651-A.63

Paris, 18 July 1956

Sir,

I have the honour to acknowledge receipt of your letter dated 18 July 1956, in which you inform me that during the negotiations held at Paris in December 1954 between the representatives of the French and Belgian administrative authorities designated to study problems arising out of the application of the Franco-Belgian social security agreements, consideration was given to the right of French workers employed in Belgium to family allowances in respect of children brought up in the Algerian departments.

[See letter I]

I have the honour to inform you that these provisions meet with the approval of my Government, which also agrees that the date of application of the above measures should be fixed at 1 April 1955.

I have the honour to be, etc.

(Signed) Baron GUILLAUME
Ambassador of Belgium

Mr. Philippe Monod
Minister Plenipotentiary
Director of Administrative and Social Affairs
Ministry of Foreign Affairs
Paris