

**No. 10665**

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**FRANCE  
and  
TUNISIA**

**General Convention on social security (with protocols and annex). Signed at Paris on 17 December 1965**

**Agreement amending the Protocol on financial questions (application of articles 29 and 32 of the above-mentioned Convention). Signed at Paris on 30 May 1969**

*Authentic texts: French.*

*Registered by France on 14 August 1970.*

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**FRANCE  
et  
TUNISIE**

**Convention générale sur la sécurité sociale (avec protocoles et annexe). Signée à Paris le 17 décembre 1965**

**Avenant au Protocole relatif aux questions financières (application des articles 29 et 32 de la Convention susmentionnée). Signé à Paris le 30 mai 1969**

*Textes authentiques : français.*

*Enregistrés par la France le 14 août 1970.*

[TRANSLATION — TRADUCTION]

GENERAL CONVENTION<sup>1</sup> ON SOCIAL SECURITY BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF TUNISIA

The Government of the French Republic and  
The Government of the Republic of Tunisia,  
Being resolved to co-operate in the social field,

Affirming the principle that the nationals of one State should receive under the social security legislation of the other equal treatment with the nationals of the latter;

Desiring to enable their nationals to keep the rights which they have acquired under the legislation of one State, and to provide for the aggregation of insurance periods completed by their nationals under the legislation of either State;

Have decided to conclude a general Convention to co-ordinate the application to French and Tunisian nationals of French and Tunisian social security legislation and, to this end, have agreed as follows:

TITLE I

GENERAL PRINCIPLES

*Article 1*

1. French and Tunisian employed persons or persons treated as such shall be subject to the social security legislation specified in article 2 below and applying in Tunisia and in France respectively, and they and their dependants shall, subject to the reservations set out in article 2, enjoy the benefits thereof under the same conditions as the nationals of each State.

2. Tunisian and French nationals other than those referred to in paragraph 1 above who were at one time covered by any of the legislation of either country referred to in article 2 may be admitted to a voluntary

<sup>1</sup> Came into force on 1 September 1966, the first day of the second month following the date of the last of the communications by which each Contracting Party had notified the other of the completion of the constitutional procedures required, in accordance with article 42.

insurance scheme under the same conditions as the nationals of their country of residence, account being taken, as appropriate, of insurance periods or periods recognized as equivalent completed in Tunisia or in France.

3. The territories to which the provisions of this Convention shall apply are:

- in relation to France: metropolitan France and the Overseas Departments;
- in relation to Tunisia: the territory of the Republic of Tunisia.

### *Article 2*

1. The provisions of this Convention shall apply:

(1) *In relation to France, to:*

- (a) The legislation relating to the organization of social security;
- (b) The legislation establishing the social insurance scheme applicable to persons employed in non-agricultural occupations and the social insurance legislation applicable to persons employed and persons treated as employed in agricultural occupations, with the exception of the provisions relating to voluntary old age insurance for French nationals working or having worked outside French territory;
- (c) The legislation on the prevention of, and compensation for, industrial accidents and occupational diseases;
- (d) The legislation relating to family allowances, with the exception of the maternity allowance;
- (e) The legislation relating to special social security schemes, in so far as they deal with the risks and benefits covered by the legislation specified in the foregoing paragraphs, and, in particular, the scheme of social security in the mining industry.

(2) *In relation to Tunisia, to:*

- (a) Act No. 60-30 of 14 December 1960 relating to the organization of social security schemes, together with any texts which have supplemented or amended it;
- (b) Act No. 57-73 of 11 December 1957 relating to the scheme of compensation for industrial accidents and occupational diseases;

- (c) Act No. 60-33 of 14 December 1960 establishing a scheme of invalidity, old age and survivors' pensions and a scheme of old age and survivors' allowances in the non-agricultural sector;
- (d) The decree of 30 April 1956 in so far as it affects the establishment of social security schemes for agricultural workers;
- (e) Act No. 65-17 of 28 June 1965 extending social security schemes to students.

2. This Convention shall also apply to all laws or regulations by which the legislation specified in paragraph 1 of this article has been or may be amended or supplemented.

Provided that this Convention shall not apply:

- (a) To laws or regulations covering a new branch of social security unless the Contracting States have concluded an agreement to that effect;
- (b) To laws or regulations extending existing schemes to new categories of beneficiaries unless the Party amending its legislation raises no objection and notifies the Government of the other Party to that effect within a period of three months from the date of the official publication of the said laws or regulations.

3. This Convention shall not apply to schemes for seafarers, which shall be the subject of a special agreement.

4. The conditions under which provisions of French and Tunisian legislation relating to schemes for students may be applied to Tunisian and French nationals shall be the subject of a protocol to be annexed to this Convention.

### *Article 3*

1. All employed persons or persons treated as such under the laws applicable in each of the two States who are employed in the territory of one of the States shall be subject to the laws in force at their place of employment.

2. The principle laid down in paragraph 1 of this article shall apply subject to the following exceptions:

- (a) An employed person or a person treated as such who is employed by an enterprise having an establishment in the territory of one of the States in which he is regularly employed and who is sent by that enterprise to the territory of the other State for the purpose of carrying out a specific and temporary assignment shall remain subject to the laws in force in the State of his normal place of employment, provided

that the duration of his assignment in the territory of the second State, inclusive of leave, does not exceed two years.

- (b) Travelling personnel in the service of transport enterprises operating between France and Tunisia or vice versa shall be subject only to the scheme in force in the territory in which the enterprise has its principal place of business.

3. The competent administrative authorities of the Contracting States may by agreement provide for exceptions to the rules given in paragraph 1 of this article. They may also agree that the exceptions provided for in paragraph 2 shall not apply in particular cases.

#### *Article 4*

1. The provision of article 3, paragraph 1, shall apply to all employed persons or persons treated as such, regardless of nationality, who are employed in French or Tunisian diplomatic or consular missions or are in the personal employ of officers of such missions.

Provided that

- (a) Career diplomatic and consular officers and officers on the staff of chancelleries shall be excepted from the application of this article;
- (b) Employed persons or persons treated as such who are nationals of the country which sends the diplomatic or consular mission and who are not permanently established in the country in which they are employed may choose between the application of the legislation of the country of their place of employment and that of the legislation of their country of origin.

2. Persons employed in the service of a government department of one of the Contracting Parties who are subject to the legislation of that Party and are sent to the territory of the other Party shall continue to be subject to the legislation of the sending State.

3. Persons placed at the disposal of one State by the other for technical co-operation purposes shall be subject to the social security legislation of the latter State, without prejudice to any provisions relating to social security contained in technical and cultural co-operation agreements between the two countries.

## TITLE II

## SPECIAL PROVISIONS

## Chapter I

*SICKNESS, MATERNITY AND DEATH INSURANCE*

## SECTION I. ENTITLEMENT TO BENEFITS

*Article 5*

Employed persons or persons treated as such who go from France to Tunisia or vice versa shall, together with their dependants living with them in the country of the new place of employment, be eligible for sickness insurance benefits in that country if:

- (1) They were accepted as fit for work when they last entered the country;
- (2) They have become affiliated with the social security scheme since they last entered the territory of the country of the new place of employment;
- (3) They satisfy the conditions imposed by the legislation of that country, account being taken, where appropriate, of the insurance periods or equivalent periods completed under the legislation of the other country.

Nevertheless, insurance periods or equivalent periods completed in both countries may be aggregated only if not more than three months have elapsed between the end of the insurance period in one country and the beginning of the insurance period in the territory of the new country of employment.

*Article 6*

Employed persons or persons treated as such who go from France to Tunisia or vice versa shall, together with the members of their family, be eligible for maternity benefits in Tunisia or France if:

- (1) They have been engaged in an occupation subject to insurance in the country to which they have transferred their residence;
- (2) They satisfy in the latter country the conditions imposed for receipt of such benefits, insurance periods or equivalent periods completed in the other country being aggregated if necessary.

When the confinement does not take place in the territory of the country of the insuring institution, the benefits provided shall be those of the scheme in force in the other country.

*Article 7*

On the death of an employed person or person treated as such who has moved from France to Tunisia or vice versa, death benefits shall be payable or may be claimed in Tunisia or in France if:

- (1) The deceased has been engaged in an occupation subject to insurance in the country to which he transferred his residence;
- (2) The deceased satisfied in that country the conditions imposed for receipt of the said benefits, insurance periods or equivalent periods completed in the other country being aggregated if necessary.

*Article 8*

A French or Tunisian employed person or person treated as such who is insured by a social security institution and who resides in one of the two countries shall receive benefits when his state of health while he is staying temporarily in his country of origin during paid leave necessitates emergency medical treatment, including hospitalization, provided that the insuring institution has given its approval; such benefits may be provided for a maximum period of three months. This period may, however, be extended for a further three months by a decision of the insuring institution on the basis of a favourable opinion by its medical supervisors.

*Article 9*

A French or Tunisian employed person working in the territory of either State who is entitled to benefits from an institution of that State shall retain his entitlement for a maximum period of three months if he transfers his residence to the territory of the other State provided that, prior to the transfer, he has obtained the authorization of the institution with which he is insured, which shall take due account of the reason for the transfer. This period may be extended for a further three months by a decision of the insuring institution on the basis of a favourable opinion by its medical supervisors. In cases of exceptionally serious illness, however, the insuring institution may allow benefits to be continued after the expiry of the above-mentioned period of six months.

*Article 10*

The French and Tunisian employed persons mentioned in article 3, paragraph 2, of this Convention shall, together with their dependants

accompanying them, be eligible for sickness and maternity insurance benefits for the duration of their stay in their country of employment.

#### *Article 11*

The dependants of a French or Tunisian employed person or person treated as such who normally reside in one of the two countries while that person is employed in the other country shall be entitled to the sickness and maternity insurance benefits in kind of their country of residence.

Entitlement to the benefits referred to in this article shall cease six years after the date on which the person concerned entered the new country of employment.

In the case of French and Tunisian persons employed in either country on the date on which this Convention enters into force, that date shall constitute the beginning of the period mentioned in the preceding paragraph.

### SECTION II. PROVISION OF BENEFITS AND REPAYMENTS BETWEEN INSTITUTIONS

#### *Article 12*

Where an employed person or person treated as such, or the members of his family, are entitled to benefits under articles 8, 9, 10 and 11 or under the last paragraph of article 6, benefits in kind shall be provided by the institution of the country of residence in accordance with the provisions of the legislation applying in that country as regards the scale of such benefits and the manner of providing them.

#### *Article 13*

The provision of prosthesis, large appliances and other major benefits in kind shall be subject, except in cases of absolute urgency, to authorization by the institution with which the person concerned is insured.

The concept of absolute urgency shall be defined by the competent authorities of the two countries.

The authorization of the institution with which the person concerned is insured shall not, however, be required for expenditure which is repayable at a flat rate in accordance with the provisions of article 15, paragraph 1 (a).



### Article 14

Where an employed person or person treated as such is entitled to benefits under articles 8, 9 and 10, cash benefits shall be paid by the institution with which that person was insured at the time when he claimed benefits.

### Article 15

1. The cost of benefits in kind provided under articles 8, 9, 10 and 11 and the last paragraph of article 6 shall be repaid by the insuring institution to the institution which provided them in the other country:

- (a) At a flat rate in the case of costs incurred under articles 8, 9 and 11 and the last paragraph of article 6;
- (b) Against proof of disbursement in the case of costs incurred under article 10.

2. With regard to the benefits in kind for members of the family referred to in article 11, the scheme to which the insuring institution belongs shall be obliged to repay to the institution which provided such benefits amounts equivalent to three quarters of the cost of the said benefits, calculated at a flat rate as prescribed in paragraph 1 (a) of this article.

3. The competent French and Tunisian authorities may, if they wish to simplify the procedure, decide by agreement that no repayment shall be effected between the institutions of the two countries.

### Article 16

The procedures for the application of this chapter shall be regulated by an administrative arrangement.

## Chapter II

### *INVALIDITY AND OLD AGE INSURANCE*

### Article 17

A supplementary agreement on invalidity and old age insurance shall be concluded when Tunisian Act No. 60-33 of 14 December 1960, referred to in article 2 of this Convention, has entered into force.

## Chapter III

*INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES**Article 18*

1. No provisions in the legislation of one Contracting Party in respect of industrial accidents and occupational diseases which limit the rights of aliens or disqualify them by reason of their place of residence shall apply to the nationals of the other Contracting Party resident in France or Tunisia.

2. The increases or supplementary allowances awarded in addition to industrial accident pensions under the legislation applying in each Contracting State shall continue to be paid to persons covered by the preceding paragraph who transfer their residence from one State to the other.

*Article 19*

1. Any employed person or person treated as such who sustains an industrial accident or contracts an occupational disease in France or Tunisia and transfers his residence to the territory of the other State shall receive, at the expense of the institution with which he is insured, the benefits in kind provided by the institution of his new place of residence.

2. Such persons shall, before transferring their residence, obtain the authorization of the institution with which they are insured, which shall take due account of the reasons for the transfer.

3. Benefits in kind awarded under paragraph 1 shall be provided by the institution of the new place of residence in accordance with the provisions of the legislation applied by that institution as regards the scale of such benefits and the manner of providing them; the duration of such benefits shall, however, be that prescribed by the legislation of the State in which the person concerned is insured.

4. The cost of benefits in kind provided in the case specified in paragraph 1 of this article shall be repaid at a flat rate by the insuring institution to the institutions which provided them, in accordance with procedures to be laid down in an administrative arrangement.

5. The provisions of paragraphs 1, 3 and 4 above shall not apply to persons in France who have sustained an industrial accident in agriculture and transfer their residence to Tunisia.

In such cases, benefits of all kinds shall be provided directly by the responsible employer or by the insurer acting for him.

*Article 20*

In the case of a transfer of residence as referred to in article 19 above, cash benefits shall be provided by the insuring institution in accordance with the legislation applicable to it.

*Article 21*

For the purpose of assessing the degree of disability resulting from an industrial accident or an occupational disease from the standpoint of French or Tunisian legislation, industrial accidents previously sustained and occupational diseases previously contracted under the legislation of the other State shall be taken into account as though they had been sustained or contracted under the legislation of the first State.

*Article 22*

If, in accordance with his civil status, a person who sustains an industrial accident followed by death had more than one wife, the pension payable to the surviving spouse shall be apportioned equally and definitively between his wives.

*Article 23*

Occupational disease benefits payable under the legislation of both Contracting States shall be provided only under the legislation of the State in whose territory the occupation capable of producing such an occupational disease was last carried on, and only if the person concerned satisfies the conditions imposed by that legislation.

*Article 24*

Where, in the case of a deterioration in the state of an occupational disease, an employed person who has received or is receiving compensation for an occupational disease under the legislation of one of the Contracting States claims a benefit under the legislation of the other State in respect of a like occupational disease, the following rules shall apply:

- (a) If the employed person has not carried on in the territory of the latter State an occupation capable of producing or aggravating the occupational disease in question, the insuring institution of the first State shall continue to be responsible for providing the benefits payable under its own legislation, taking the said deterioration into account;

- (b) If the employed person has carried on such an occupation in the territory of the latter State, the insuring institution of the first State shall continue to be responsible for providing the benefits payable under its own legislation, no account being taken of the said deterioration; the insuring institution of the other State shall pay the employed person an additional benefit the amount of which shall be fixed in accordance with the legislation of that other State and shall be equal to the difference between the amount of benefit payable after the said deterioration and that which would have been payable if the disease, before the deterioration, had been contracted in its territory.

#### Chapter IV

### *FAMILY ALLOWANCES*

#### *Article 25*

1. Employed persons or persons treated as such, of French or Tunisian nationality, employed in the territory of either State may claim the family allowances provided for below for their children resident in the territory of the other State, if they fulfil the occupational requirements laid down in the legislation applicable in their place of employment.

2. The benefits provided for in this article shall be paid on the basis of periods of employment or periods treated as such; the competent institution of each State shall, where necessary, take into account all the periods of employment or periods treated as such completed in the territory of both States.

3. The children eligible to receive the benefits provided for in this article shall be the dependent children of the employed person concerned, provided that they also have the status of legitimate children, recognized natural children or adopted children of the employed person or of his spouse, or that they have, from the standpoint of Tunisian law, been placed under their unofficial guardianship or in their custody.

4. The family allowances shall be paid by the institution of the country of residence of the children, in accordance with the procedures and at the rates provided for by the legislation applicable in that country.

5. The institution with which the employed person is insured shall pay to the centralizing agency of his country of residence a flat-rate contribution. The amount of that contribution and the age, number and seniority of the children in respect of whom it shall be awarded, shall be established in a scale determined by agreement between the competent authorities of the two States. The said scale shall be subject to revision, in

the light of changes in the family allowance rates in the two countries. Such revision may not take place more than once a year.

#### *Article 26*

Entitlement to the benefits provided for in the present chapter shall expire at the end of a six-year period from the date on which the employed person enters the territory of his new country of employment.

In the case of French and Tunisian persons employed in either country on the date on which this Convention enters into force, that date shall constitute the beginning of the period mentioned in the preceding paragraph.

#### *Article 27*

The conditions for the application of articles 25 and 26, including determination of the procedures for the payment of the contribution provided for in article 25, paragraph 5, shall be regulated by an administrative arrangement.

#### *Article 28*

Children of the employed persons referred to in article 3, paragraph 2, of this Convention, who accompany the employed persons during their temporary employment in the other country, shall receive the family allowances provided for by the legislation of the country of origin.

### TITLE III

## MISCELLANEOUS PROVISIONS

### Chapter I

## *PAYMENTS MADE IN CONNEXION WITH SOCIAL SECURITY OR SOCIAL INSURANCE TRANSACTIONS*

#### *Article 29*

The two Governments undertake not to hinder in any way the transfer of sums corresponding to the total amount of payments made in connexion with social security transactions and, notwithstanding the definition of the legislation covered by article 2 above, social insurance transactions, including payments made under voluntary insurance, mutual insurance and supplementary schemes.

A special protocol on financial questions, annexed to this Convention, shall establish the conditions for the application of this article, notwithstanding any national provisions to the contrary.

#### *Article 30*

The administrative authorities in both countries may designate centralizing agencies for the purpose of transferring all or some of the benefits provided for in this Convention in conditions to be laid down in an administrative arrangement.

#### *Article 31*

The institutions which are liable under this Convention for the payment of benefits to beneficiaries resident in the territory of the other State shall be held to discharge their liability validly by payment in the currency of their country at the rate of exchange in force on the day of payment.

The total amount of the repayments provided for under this Convention, whether calculated on the basis of actual expenditure or at a flat rate, shall be payable in the national currency of the State whose institution paid the benefits; the debtor institution shall discharge its liability on the basis of the rate of exchange in force on the day of payment.

#### *Article 32*

The provisions relating to transfers of prior service contributions or payments of arrears of contributions under old age insurance schemes shall be laid down in the special protocol referred to in article 29.

### Chapter II

#### *FINAL PROVISIONS*

#### *Article 33*

In each of the Contracting States, the Ministers responsible, each within the limits of his competence, for the application of the schemes enumerated in article 2 shall be deemed to be the competent administrative authorities for the purposes of this Convention.

#### *Article 34*

The competent authorities:

- (1) Shall make such administrative arrangements as may be required for the application of this Convention;

- (2) Shall communicate to each other information regarding any measure taken by them for the application of the Convention;
- (3) Shall communicate to each other, as soon as possible, information regarding provisions in their legislation which affect the application of the Convention.

#### *Article 35*

1. The competent authorities and the social security institutions of the two Contracting Parties shall furnish assistance to one another with regard to any matter relating to the application of this Convention and of the social security legislation of the other State as if the matter were one affecting the application of their own social security legislation.

2. The competent authorities shall, in particular, agree upon the arrangements for medical and administrative supervision and expert services required for the application of this Convention and of the social security legislation of the two States.

#### *Article 36*

1. Any exemption from registration fees, court fees, stamp duties and consular fees provided for by the legislation of one Contracting State in respect of documents required to be produced to the authorities or social security institutions of that State shall be extended to similar documents required to be produced for the purposes of this Convention to the authorities or social security institutions of the other State.

2. Legalization by consular authorities shall be waived in respect of all certificates, documents and papers required to be produced for the purposes of this Convention.

#### *Article 37*

All communications relating to the application of this Convention sent by persons benefiting under this Convention to the institutions and administrative and judicial authorities concerned with social security matters in either contracting country shall be written in the official language of either country.

#### *Article 38*

Appeals which should have been presented within a prescribed time-limit to an authority or institution competent to accept appeals in matters

of social security in one of the Contracting States shall be admissible if they are presented within the same time-limit to a corresponding authority or institution of the other State. In such cases, the latter authority or institution shall without delay transmit the appeal to the competent authority or institution.

If the authority or institution to which the appeal has been presented does not know which is the competent authority or institution, the appeal may be transmitted through the authorities specified in article 33 above.

#### *Article 39*

Nothing in this Convention shall in any way invalidate the rules laid down in the schemes referred to in article 2 for the participation of insured persons in the elections connected with the functioning of social security.

#### *Article 40*

Any formalities which may be prescribed by the laws or regulations of one of the Contracting States for the payment outside its territory of benefits provided by the competent institutions of that State shall also apply, in the same manner as to nationals, to persons awarded such benefits under this Convention.

#### *Article 41*

1. Any difficulties relating to the application of this Convention shall be resolved by agreement between the administrative authorities referred to in article 33.

2. Where it is impossible to reach a solution by this means, the dispute shall be settled by arbitration in accordance with a procedure to be arranged by the two Governments.

#### *Article 42*

Each Contracting Party shall notify the other of the completion of the constitutional procedures required, in so far as it is concerned, for the entry into force of this Convention. This Convention shall enter into force on the first day of the second month following the date of the last such notification.



*Article 43*

This Convention shall remain in force for a period of one year from the date of its entry into force. Thereafter it shall continue in force from year to year unless it is denounced in writing three months before the expiry of any such one-year period.

In the event of the denunciation of this Convention, any rights acquired in accordance with its provisions shall be maintained, notwithstanding any restrictive provision made in the schemes concerned for cases where an insured person is resident abroad.

DONE at Paris on 17 December 1965 in duplicate.

For the Government  
of the French Republic:

[GILBERT DE CHAMBRUN]

[SEAL]

For the Government  
of the Republic of Tunisia:

[MASMOUDI]

[SEAL]

PROTOCOL ON FINANCIAL QUESTIONS (APPLICATION OF  
ARTICLES 29 AND 32 OF THE GENERAL CONVENTION ON  
SOCIAL SECURITY BETWEEN THE GOVERNMENT OF THE  
FRENCH REPUBLIC AND THE GOVERNMENT OF THE  
REPUBLIC OF TUNISIA)

*Article 1*

The transfer of the sums referred to in articles 29 and 32 of the General Convention on Social Security between France and Tunisia shall be effected as follows.

*Article 2*

Current social security and social insurance payments from France to Tunisia and from Tunisia to France shall be transferred immediately.

The list of such current payments is annexed to this Protocol.

*Article 3*

Prior service contributions and payments of arrears of contributions to institutions and agencies under voluntary insurance schemes for em-

ployed persons and non-salaried persons and under supplementary schemes shall be transferred in instalments.

To this end, the Central Bank of Tunisia shall authorize the Paymaster General at the French Embassy in Tunis to have a French franc account opened with a Tunisian bank, on which the institutions and agencies referred to in article 4 below may freely draw in amounts of up to 400,000 French francs each quarter.

#### *Article 4*

Persons of French nationality with funds in Tunisia shall deposit in the account referred to in article 3 above, in the manner prescribed below, the sums owed to institutions and agencies in the following categories:

- Agencies belonging to the General Social Security Organization referred to in article L 1 of the French Social Security Code;
- Autonomous organizations for old age insurance referred to in article L 645 of the French Social Security Code;
- Insurance institutions referred to in article L 4 of the French Social Security Code and in article 1050 of the French Rural Code (supplementary schemes).

#### *Article 5*

The French Embassy in Tunisia shall communicate to the Central Bank of Tunisia at regular intervals, and no later than 31 December 1966, statements drawn up by the aforementioned institutions and agencies, indicating in respect of each individual the periods of activity in Tunisia taken into consideration and the total sum to be paid.

The documents enabling the Central Bank of Tunisia to check the matters listed in article 6 below shall be attached to such statements.

Within one month of receiving the statements transmitted by the French Embassy, the Central Bank of Tunisia shall make the necessary arrangements to enable the institutions holding the funds to deposit in the account referred to in article 3 above:

- (1) The sums owed by French nationals resident in Tunisia, to a maximum of 3,500 dinars;
- (2) The sums owed by French nationals who have left Tunisia, to a maximum of 3,500 dinars, less any transfers authorized by the Central Bank of Tunisia in connexion with their final departure from Tunisia.

*Article 6*

The Central Bank of Tunisia shall check the following matters:

- (1) *Periods of activity in Tunisia*: Only periods of activity in Tunisia may be taken into account in calculating the total amount of contributions to be paid;
- (2) *Fiscal status*: A tax clearance certificate must be produced by non-residents;
- (3) *Origin of funds*: Depositors who have left Tunisia must be able to show proof that the funds are of regular origin. However, funds deposited in bank or post-office accounts on or before 15 October 1965 shall be considered to be of regular origin.

*Article 7*

Transfer transactions to the credit of the French franc account referred to in article 3 above must be concluded by 30 November 1967.

*Article 8*

In the event of the denunciation of the General Convention, in the manner specified in article 43 thereof, the credit balance existing in the account referred to in article 3 above on the date of expiry of the Convention shall be returned to depositors in the amount of dinars initially deposited.

Such amounts shall be returned to accounts similar to those used for the deposit transactions.

Any profit on the conversion resulting from the transactions referred to in article 3 above shall be paid to the Tunisian Treasury.

DONE at Paris on 17 December 1965 in duplicate.

For the Government  
of the French Republic:

[GILBERT DE CHAMBRUN]

For the Government  
of the Republic of Tunisia:

[MASMOUDI]

## ANNEX

CURRENT SOCIAL SECURITY AND SOCIAL INSURANCE PAYMENTS BETWEEN  
FRANCE AND TUNISIAI. *Current payments from France to Tunisia:*

- (a) Repayment of family allowances for families resident in Tunisia of persons employed in France;
- (b) Repayment of medical expenses for families resident in Tunisia of persons employed in France;
- (c) Cash benefits and benefits in kind for insured persons (sickness, maternity and death);
- (d) Industrial accident benefits (medical care, compensation, pensions and increases) for beneficiaries under the French scheme who are resident in Tunisia;
- (e) Old age and invalidity benefits under compulsory or voluntary schemes for beneficiaries resident in Tunisia;
- (f) Benefits, other than those provided for in (e), owed to beneficiaries resident in Tunisia, under voluntary schemes.

II. *Current payments from Tunisia to France:*

- (a) Repayment of family allowances for families resident in France of persons employed in Tunisia;
- (b) Repayment of medical expenses for families resident in France of persons employed in Tunisia;
- (c) Cash benefits and benefits in kind for insured persons (sickness, maternity and death);
- (d) Industrial accident benefits (medical care, compensation, pensions and increases) for beneficiaries under the Tunisian scheme who are resident in France;
- (e) Contributions and benefits owed under old age and invalidity schemes:
  - to institutions applying French schemes: voluntary insurance contributions for employed and non-salaried persons and contributions for supplementary old age schemes;
  - to beneficiaries resident in France: benefits payable by institutions applying Tunisian schemes;
- (f) Contributions, other than those provided for under (e), owed to French mutual insurance or supplementary schemes;
- (g) Arrears of contributions owed by the Tunisian State under the social insurance scheme applicable to Tunisian students in France.

PROTOCOL ON THE SCHEME OF SOCIAL INSURANCE  
APPLICABLE TO STUDENTS

The Government of the French Republic and  
The Government of the Republic of Tunisia,

Desiring to co-operate in the cultural field and to provide social protection for the nationals of each State who are pursuing their studies in the territory of the other,

Have decided to adopt the following measures:

*Article 1*

The French scheme of social insurance for students as laid down in the Social Security Code, Book VI, Title I, shall apply to Tunisian students studying in France who are neither covered by social insurance nor dependants of persons having such coverage in France, under the same conditions as it applies to French students.

*Article 2*

The Tunisian scheme of social insurance for students shall apply to French students studying in Tunisia who are neither covered by social insurance nor dependants of persons having such coverage in Tunisia, under the same conditions as it applies to Tunisian students.

*Article 3*

In view of the fact that Tunisian nationals in France have been covered since 1960 by the scheme of social security for students, the Tunisian Government shall make a lump-sum payment of 650,000 francs to the French National Social Security Fund (Caisse nationale de sécurité sociale), representing its contribution for past years.

*Article 4*

Each Contracting Party shall notify the other of the completion of the constitutional procedures required, in so far as it is concerned, for the entry into force of this Protocol.<sup>1</sup> This Protocol shall enter into force on the first day of the second month following the date of the last such notification.

<sup>1</sup> See note 1, page 5 of this volume.

*Article 5*

This Protocol shall remain in force for a period of one year from the date of its entry into force. Thereafter it shall continue in force from year to year unless it is denounced in writing three months before the expiry of any such one-year period.

In the event of the denunciation of this Protocol, any rights acquired in accordance with its provisions shall be maintained.

DONE at Paris on 17 December 1965 in duplicate.

For the Government  
of the French Republic:

For the Government  
of the Republic of Tunisia:

[GILBERT DE CHAMBRUN]

[MASMOUDI]

PROTOCOL ON THE GRANTING TO TUNISIAN NATIONALS OF  
THE OLD AGE ALLOWANCE FOR EMPLOYEES PROVIDED  
UNDER FRENCH LAW

The Government of the French Republic and  
The Government of the Republic of Tunisia,

Considering that the old age allowance for employees provided under French social security legislation is, on account of its non-contributory character, reserved for French nationals,

Considering that it is desirable for employed persons of each Party to receive in the territory of the other the same treatment as the nationals of that Party with regard to social security,

Agree to apply the following provisions:

*Article 1*

The old age allowance for employees shall be granted to Tunisian employees resident in France, under the same conditions as it is granted to French employees, on the date on which the allowance is payable.

*Article 2*

Each Contracting Party shall notify the other of the completion of the constitutional procedures required, in so far as it is concerned, for the

entry into force of this Protocol.<sup>1</sup> This Protocol shall enter into force on the first day of the second month following the date of the last such notification.

*Article 3*

This Protocol shall remain in force for a period of one year from the date of its entry into force. Thereafter it shall continue in force from year to year unless it is denounced in writing three months before the expiry of any such one-year period.

In the event of the denunciation of this Protocol, any rights acquired in accordance with its provisions shall be maintained, notwithstanding any restrictive provision made in the schemes concerned for cases where an insured person is resident abroad.

DONE at Paris on 17 December 1965 in duplicate.

For the Government  
of the French Republic:

[GILBERT DE CHAMBRUN]

For the Government  
of the Republic of Tunisia:

[MASMOUDI]

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<sup>1</sup> See note 1, page 5 of this volume.

AGREEMENT<sup>1</sup> AMENDING THE PROTOCOL ON FINANCIAL QUESTIONS (APPLICATION OF ARTICLES 29 AND 32 OF THE GENERAL CONVENTION ON SOCIAL SECURITY SIGNED ON 17 DECEMBER 1965<sup>2</sup> BETWEEN FRANCE AND TUNISIA)

The Government of the French Republic and the Government of the Republic of Tunisia agree on the following provisions:

*Article 1.* Article 5 of the Protocol on financial questions annexed to the General Convention on Social Security between France and Tunisia of 17 December 1965 shall be amended as follows:

*Article 5*

The French Embassy in Tunisia shall communicate to the General Bank of Tunisia at regular intervals, and no later than 31 May 1970, statements drawn up by the aforementioned institutions and agencies, indicating in respect of each individual the periods of activity in Tunisia taken into consideration and the total sum to be paid.

The documents enabling the Central Bank of Tunisia to check the matters listed in amended article 6 below shall be attached to such statements.

Within two months of receiving the statements transmitted by the French Embassy in Tunisia, the Central Bank of Tunisia shall make the necessary arrangements to enable the institutions holding the funds to deposit in the account referred to in article 3 above.

[The rest to remain unchanged.]

*Article 2.* Article 6 of the aforementioned Protocol shall be abrogated and replaced by the following provisions:

*Article 6*

The Central Bank of Tunisia shall check the following matters:

- (1) *Period of activity in Tunisia:* Only periods of activity in Tunisia may be taken into account in calculating the total amount of contributions to be paid;

<sup>1</sup> Came into force on 30 May 1969 by signature.

<sup>2</sup> See page 5 of this volume.



- (2) *Fiscal status*: A tax clearance certificate must be produced by non-residents;
- (3) *Origin of funds*: Depositors who have left Tunisia must be able to show proof that the funds are of regular origin or supply the references relating to the transfer application submitted to the Central Bank of Tunisia. However, in the case of persons who left Tunisia before 31 December 1966 or whose internal account has been changed to a suspense account not later than 31 December 1966, funds deposited in bank or post-office accounts on or before 15 October 1965 shall be considered to be of regular origin.

*Article 3.* Article 7 of the aforementioned Protocol shall be abrogated and replaced by the following provisions:

*Article 7*

Transfer transactions to the credit of the French franc account referred to in article 3 above must be concluded by 31 December 1970.

DONE at Paris on 30 May 1969 in duplicate, both texts being equally authentic.

For the Government  
of the French Republic:

GILBERT DE CHAMBRUN

For the Government  
of the Republic of Tunisia:

MOHAMED MASMOUDI