

**No. 10706**

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**FRANCE  
and  
SPAIN**

**Agreement concerning the granting of dependency allowances to seasonal workers. Signed at San Sebastian on 29 August 1964**

*Authentic texts : French and Spanish.*

*Registered by France on 3 September 1970.*

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**FRANCE  
et  
ESPAGNE**

**Accord sur l'octroi d'indemnités pour charges de famille aux travailleurs saisonniers. Signé à Saint-Sébastien le 29 août 1964**

*Textes authentiques : français et espagnol.*

*Enregistré par la France le 3 septembre 1970.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN FRANCE AND SPAIN CONCERNING THE GRANTING OF DEPENDENCY ALLOWANCES TO SEASONAL WORKERS

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The Government of the French Republic and  
The Government of the Spanish State,  
desiring to improve the condition of families which continue to reside in one of the two States but whose head is employed in the other, have agreed as follows :

*Article 1*

*Paragraph 1.* French and Spanish employed persons or persons treated as such who are employed on a seasonal basis in the territory of Spain or in the territory of France and who have children who are resident in the territory of the other State shall be entitled to dependency allowances for the said children; the cost of the allowances shall be borne by the institution which is responsible for the workers in question in the State to whose legislation they are subject.

*Paragraph 2.* For the purposes of this Agreement, the term "territory" means :

*In the case of Spain:* the peninsular territory, adjacent islands and Spanish territories.

*In the case of France:* metropolitan France and the overseas *départements* (Guadeloupe, Guiana, Martinique, and Réunion).

*Paragraph 3.* The dependency allowances for which such workers are eligible shall be granted from the second child onwards.

*Paragraph 4.* Entitlement to dependency allowances under this Agreement shall arise in respect of children below 14 years of age where they are :

— The worker's legitimate, legitimated or recognized natural children, or his orphaned grandchildren;

— The legitimate, legitimated or recognized natural children or orphaned grandchildren of the worker's spouse, on condition that they live in the worker's home in the State where his family is resident.

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<sup>1</sup> Came into force on 1 January 1965, i.e., the first day of the third month following the date (16 October 1964) of the last of the notifications by which each Contracting Party informed the other that the constitutional requirements had been fulfilled, in accordance with article 4 (2).

However, the age limit of 14 years prescribed above shall be raised to 20 years in respect of a child who is certified unfit for occupational activity for reasons of infirmity or chronic illness.

*Paragraph 5.* The dependency allowances provided for in paragraph 1 of this article shall be paid on the basis of periods of employment or periods treated as such.

*Paragraph 6.* Entitlement to benefits under paragraph 1 of this article shall be acquired only if the seasonal worker gives proof of possession of a labour contract valid for at least three months in the new country of employment, and of fulfilment in that country of the obligations under the contract.

#### *Article 2*

The amount of the dependency allowances shall be the same as that set for regularly employed workers in pursuance of article 2 of the Agreement of 8 July 1963.<sup>1</sup>

#### *Article 3*

An administrative arrangement shall establish the conditions of application of the present Agreement.

#### *Article 4*

*Paragraph 1.* This Agreement is concluded for a period of one year. Thereafter it shall be tacitly renewed from year to year unless denounced by one of the parties through notification of the other party six months before the expiry of the annual term.

*Paragraph 2.* Each Contracting Party shall notify the other of the completion of the constitutional formalities required, in so far as it is concerned, for the entry into force of this Agreement. The Agreement shall enter into force on the first day of the third month following the date of the last such notification.

DONE at Paris on 12 June 1964 in duplicate in French and Spanish, both texts being equally authentic.

For the Government  
of the French Republic :  
Signed at San Sebastian  
on 29 August 1964,  
R. DE BOISSESON

For the Government  
of the Spanish State :  
Signed at San Sebastian  
on 29 August 1964,  
Fernando M. CASTIELLA

<sup>1</sup> See p. 99 of this volume.