

No. 10701

FRANCE
and
POLAND

Protocol on the status of employed persons who have completed insurance periods under French, German and Polish social insurance schemes. Signed at Paris on 25 May 1961

Authentic text: French.

Registered by France on 3 September 1970.

FRANCE
et
POLOGNE

Protocole relatif à la situation des travailleurs ayant accompli des périodes d'assurance au titre des régimes d'assurances sociales allemand, français et polonais. Signé à Paris le 25 mai 1961

Texte authentique : français.

Enregistré par la France le 3 septembre 1970.

[TRANSLATION — TRADUCTION]

PROTOCOL¹ ON THE STATUS OF EMPLOYED PERSONS
WHO HAVE COMPLETED INSURANCE PERIODS UNDER
FRENCH, GERMAN AND POLISH SOCIAL INSURANCE
SCHEMES

The Government of the French Republic, and
The Government of the Polish People's Republic,

Desiring to regulate the status, with regard to pensions, of French and Polish workers who have completed insurance periods under the French, German and Polish social insurance systems,

Have agreed on the following provisions:

(1) The pensions referred to in this Protocol are the invalidity, old-age and survivors' pensions provided for under the schemes enumerated in article 2 of the General Convention between France and Poland on social security of 9 June 1948.²

(2) In the case of French or Polish employed persons or persons treated as employed persons who reside in Poland and who have completed insurance periods only under a French scheme and a German scheme, the French Social Security Funds shall take the periods in question into account for the purpose of establishing pension rights.

(3) In the case of French or Polish employed persons or persons treated as employed persons who reside in France or Poland and who have completed insurance periods under a French, Polish and German scheme, the said periods shall be aggregated for the purpose of establishing pension rights.

(4) In the application of paragraphs (2) and (3) above and in the calculation of pensions, the provisions of chapters 2, 3 and 4 of title II of the General Convention between France and Poland on social security of 9 June 1948 and those of the Supplementary Agreement of the same date on persons employed in mines and establishments treated as mines² shall apply as appropriate.

¹ Came into force on 1 October 1961, i.e., the first day of the second month following the exchange of notifications, effected on 25 July and 17 August 1961, to the effect that the Protocol had been approved in accordance with the constitutional provisions in force in each of the two countries, in accordance with paragraph 7.

² United Nations, *Treaty Series*, vol. 32, p. 251.

(5) Insurance periods under a German scheme may not be taken into account in the application of this Protocol unless they were completed before 8 May 1945.

(6) The status of any of the employed persons referred to above whose rights were established before the entry into force of this Protocol shall be revised in accordance with the provisions of the said Protocol, provided that such revision does not give the persons concerned a status less favourable than that resulting from maintenance of their existing rights.

(7) This Protocol shall be approved in accordance with the constitutional provisions in force in each of the two countries.

It shall enter into force on the first day of the second month following the exchange of notifications to the effect that the said provisions have been complied with by both parties.

DONE at Paris in duplicate on 25 May 1961.

For the Government
of the French Republic:

F. LEDUC

For the Government
of the Polish People's Republic:

Stanislas GAJEWSKI