

No. 12953

**FRANCE
and
TURKEY**

**General Convention on social security (with protocol).
Signed at Paris on 20 January 1972**

Authentic texts: French and Turkish.

Registered by France on 4 January 1974.

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et
TURQUIE**

**Convention générale sur la sécurité sociale (avec protocole).
Signée à Paris le 20 janvier 1972**

Textes authentiques : français et turc.

Enregistrée par la France le 4 janvier 1974.

[TRANSLATION—TRADUCTION]

GENERAL CONVENTION¹ ON SOCIAL SECURITY BETWEEN
THE FRENCH REPUBLIC AND THE REPUBLIC OF TURKEY

The Government of the French Republic,
And the Government of the Republic of Turkey,
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 supplement the Labour Convention previously signed between the two countries by a Convention on Social Security;

And desiring to regulate relations between the two countries in the matter of social security,

Have agreed as follows:

TITLE I. GENERAL PROVISIONS

Article 1. 1. French nationals engaged in permanent or seasonal employment in Turkey or in an activity treated as such shall be subject to the social security legislation specified in article 4 below and applying in Turkey, and they and their dependants residing in Turkey shall enjoy the benefits thereof under the same conditions as Turkish nationals.

2. Turkish nationals engaged in permanent or seasonal employment in France or in an activity treated as such shall be subject to the social security legislation specified in article 4 below and applying in France, and they and their dependants residing in France shall enjoy the benefits thereof under the same conditions as French nationals.

Article 2. 1. French nationals residing in Turkey shall have the option of being admitted to the voluntary insurance scheme provided for under Turkish legislation and of enjoying the benefits thereof under the same conditions as Turkish nationals, account being taken, as appropriate, of insurance periods or equivalent periods completed under the French system.

2. Turkish nationals residing in France shall have the option of being admitted to the voluntary insurance scheme provided for under French legislation and of enjoying the benefits thereof under the same conditions as French nationals, account being taken, as appropriate, of insurance periods or equivalent periods completed under the Turkish system.

3. The provisions of article 1 shall not prevent French workers subject to the Turkish social security system and Turkish workers subject to the French social security system from contributing or continuing to contribute to the voluntary insurance scheme provided for under the legislation of the country of which they are nationals.

¹ Came into force on 1 August 1973, i.e. the first day of the second month following the date of the last of the notifications by which the Contracting Parties informed each other of the completion of the constitutional procedures required, in accordance with article 60.

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

- in relation to France: metropolitan France and the Overseas Departments: Guadeloupe, Guiana, Martinique and Reunion;
- in relation to Turkey: the territory of Turkey.

Article 4. 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 relating to social insurance applicable, with the exception of provisions which extend the option of being admitted to a voluntary insurance scheme to employed or unemployed French nationals working outside French territory:
 - to persons employed in non-agricultural occupations;
 - to persons employed in agricultural occupations and persons treated as such;
- (c) The legislation relating to the prevention of, and compensation for, industrial accidents and occupational diseases;
- (d) The legislation relating to family benefits, with the exception of the maternity allowance;
- (e) The legislation relating to special social security schemes as set forth in the Administrative Agreement provided for in article 45 of this Convention, and under the conditions established by that Agreement;
- (f) The legislation relating to seafarers, under the conditions laid down, as appropriate, by the above-mentioned Administrative Agreement.

2. In relation to Turkey, to:

The legislation relating to social insurance for employed workers concerning:

- sickness and maternity insurance;
- disability, old age and death insurance;
- industrial accident and occupational disease insurance.

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

This Convention shall not, however, apply to:

- (a) laws or regulations covering a new branch of social security unless the contracting countries have concluded an agreement to that effect;
- (b) Laws or regulations extending existing schemes to new categories of beneficiaries unless the Government of the Party concerned raises no objection and in that connexion 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.

Article 5. The following shall be excepted from the application of this Convention:

- 1. Workers other than employed persons engaged in employment or in an activity treated as such;
- 2. Civil servants and military officials and persons treated as such;
- 3. Career diplomatic and consular officers, including officials on the staff of chancelleries;

4. Persons placed at the disposal of one State by the other on the basis of a technical assistance agreement, who are subject to the provisions relating to social security which are specified or which may be included in co-operation agreements between the two countries.

Article 6. Notwithstanding the provisions of article 1 of this Convention:

1. The following shall not be subject to the social security system of the country of the place of employment, and shall remain subject to the social security system of the country of origin:

- (a) *ipso facto*, employed persons sent by their employer to the other country for the purpose of carrying out a specific assignment, provided that the duration of the assignment does not exceed three years, including periods of leave;
- (b) subject to prior and mutual agreement between the competent administrative authorities of the two countries or the authorities which they have designated for that purpose, employed persons sent by their employer to the other country for the purpose of carrying out a specific assignment the duration of which whether or not it is originally intended to be so, is extended beyond three years.

2. Employed persons, other than those referred to in article 5 (2), in the service of an administrative department of one of the Contracting States, who are sent to the territory of the other State, shall continue to be subject to the social security system of the sending State.

3. Employed persons who are employed in diplomatic or consular missions, other than those referred to in article 5 (3), or who are in the personal employ of officers of such missions, shall have the option of being subject to the legislation of the sending country, provided that such persons are not nationals of the host State. This right of option may be exercised only once under the conditions and within the time-limits specified in the Administrative Agreement.

4. Employed persons who belong to public or private transport enterprises in either contracting country and are employed in the other country, whether permanently or temporarily or as travelling personnel, shall be subject to the social security system in force in the country in which the enterprise has its head office.

If, however, the enterprise has a branch or a permanent agency in the territory of the other country, the Administrative Agreement shall specify the conditions under which persons employed by the branch or permanent agency may be subject to the legislation of the country in which such establishments are situated.

Article 7. The competent administrative authorities of the Contracting States may, by agreement, and in particular in the interest of workers of either country, provide for other exceptions to the provisions of article 1.

On the other hand, they may agree that the exceptions provided for in the preceding article shall not apply in particular cases.

TITLE II. SPECIAL PROVISIONS

Chapter 1. SICKNESS AND MATERNITY INSURANCE

Article 8. French persons employed in Turkey and Turkish persons employed in France together with members of their families who accompany them, shall be eligible for the sickness insurance benefits provided for under the legislation of the new country of residence if:

- (a) They have been engaged, in that country, in an occupation subject to insurance;

- (b) They satisfy in that country the conditions imposed for receipt of such benefits.

Article 9. French persons employed in Turkey and Turkish persons employed in France, together with the members of their families who accompany them, shall be eligible for the maternity insurance benefits provided for under the legislation of the new country of residence if:

- (a) they have been engaged, in that country, in an occupation subject to insurance;
- (b) they satisfy in that country the conditions imposed for receipt of such benefits.

Article 10. If the persons concerned have not completed the insurance period required under the legislation of the new country of employment for eligibility for sickness and maternity insurance benefits, the insurance periods or equivalent periods previously completed in the other country shall be added to the insurance periods or equivalent periods completed in the new country of employment.

Nevertheless, such periods may be aggregated only if not more than one month has elapsed between the end of the insurance period in the first country and the beginning of the insurance period in the new country of employment.

Article 11. A French employed person working in Turkey or a Turkish employed person working in France, who has acquired the right to sickness or maternity insurance benefits from, in the first instance, a Turkish institution or, in the second instance, a French institution, shall retain the right to such benefits if he transfers his residence to the territory of the other State, provided that, prior to his departure, he obtains the authorization of the Turkish or French institution with which he is insured.

Such authorization shall be valid 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.

In cases of exceptionally serious illness, as defined by the Administrative Agreement, the insuring institution may allow benefits to be continued after the expiry of the above-mentioned period of six months.

Article 12. A French employed person residing in Turkey, or a Turkish employed person residing in France, shall be entitled to sickness or maternity insurance benefits while staying temporarily in his country of origin during his annual paid leave when his state of health necessitates medical treatment, including hospitalization, provided that the Turkish or French institution with which he is insured has given its approval. If, at the end of his stay, the employed person is unable, owing to his state of health, to return to the country of employment, the granting of such benefits may be extended for a maximum period of three months, subject to the provision of medical proof and provided that the Turkish or French insuring institution has given its approval.

Beyond that period, benefits shall continue to be granted by agreement with the insuring institution only in cases of exceptionally serious illness as defined by the Administrative Agreement.

Article 13. In the cases specified in articles 11 and 12:

- benefits in kind (treatment) shall be provided by the institution in the new country of residence or the country in which the employed person is staying in ac-

cordance with the provisions of the legislation applicable in that country as regards the scale of such benefits and the manner of providing them;
—cash benefits (daily allowances) shall be paid by the institution with which the person concerned is insured.

Article 14. In the cases specified in articles 11 and 12, the cost of benefits shall be borne by the institution with which the employed person is insured. The Administrative Agreement shall determine the manner in which benefits in kind shall be reimbursed by the insuring institution to the institution in the new country of residence or the country in which the employed person is staying.

Article 15. The members of the family of a French or Turkish employed person who reside or return to reside in France or in Turkey, while that person is employed in the other country, shall be entitled to sickness and maternity benefits in kind, provided that they are not already entitled to such benefits under the legislation of the country of residence.

The family members covered and the scale and duration of such benefits and the manner of providing them shall be determined in accordance with the provisions of the legislation of the family's country of residence.

Benefits shall be provided by the institution in the family's country of residence.

The cost of such benefits shall be borne by the social security system of the country in which the employed person is insured, which shall repay to the social security system of the family's country of residence three quarters of the costs relating to the benefits at a flat rate and in a manner to be determined by administrative agreement.

Article 16. The French or Turkish employed persons referred to in article 6, paragraph 1, of this Convention together with the members of their families accompanying them, shall be eligible for sickness and maternity insurance benefits for the entire duration of their stay in their country of employment.

Cash benefits shall be paid directly by the French or Turkish insuring institution responsible for them.

Benefits in kind shall be provided either by the institution in the country in which the person concerned is staying or, directly, by the insuring institution.

Article 17. 1. Where a person in receipt of a pension granted by aggregating the insurance periods completed in both countries is entitled or becomes entitled to benefits in kind (treatment) under the legislation of the contracting country in whose territory he is resident, such benefits shall be provided for him and for the members of his family by and at the expense of the institution of the country of residence as though he were in receipt of a pension solely under the legislation of the latter country.

2. Where a person in receipt of a pension payable solely under the legislation of one of the contracting countries is resident in the territory of the other country, benefits in kind (treatment) shall be provided for him and for the members of his family by the institution of the country of residence as though he were in receipt of a pension under the legislation of the latter country.

Entitlement of such benefits shall be established in accordance with the provisions of the legislation of the country which is liable for the pension. The scale and duration of such benefits and the manner of providing them shall be determined in accordance with the provisions of the legislation of the pensioner's country of residence.

The cost of such benefits shall be borne by the social security system of the country which is liable for the pension, which shall repay to the social security system of the pensioner's country of residence three quarters of the costs relating to the benefits at a flat rate and in a manner to be determined by administrative agreement.

Article 18. The provision of prosthesis, large appliances and other major benefits in kind, a list of which shall be annexed to the Administrative Agreement, shall be subject, except in cases of urgency to authorization by the institution with which the person concerned is insured. Such authorization shall not, however, be required for expenditure which is repayable at a flat rate.

Chapter 2. DISABILITY INSURANCE

Article 19. 1. In the case of employed persons who have moved from one country to the other, the insurance periods or equivalent periods completed under the social security system of the first country shall, provided that they do not overlap, be aggregated with the insurance periods or equivalent periods completed under the system of the other country, for the purpose both of the acquisition of the right to disability insurance benefits in cash (pensions) or in kind (treatment) and of the maintenance or recovery of this right.

2. The disability pension shall be awarded in accordance with the legislation applicable to the person concerned at the time when owing to illness or accident, the interruption of work followed by disability occurred.

The cost of the disability pension shall be borne by the competent institution in accordance with that legislation.

Article 20. 1. If, after suspension of the disability pension, the insured person recovers his entitlement, the provision of benefits shall be resumed by the institution liable for the pension originally awarded.

2. If, after suspension of the pension, the state of health of the insured person justifies the granting of another disability pension, the latter shall be awarded in accordance with the provisions of article 19.

Article 21. Where appropriate, a disability pension shall be converted into an old age pension when the conditions, notably age, required under the legislation of either country for the receipt of the old age pension have been satisfied.

If the total amount of benefits to which an insured person is entitled under each of the old age insurance schemes of the two countries is smaller than the amount of the disability pension, the balance shall be provided to him by the insurance scheme which was liable for that pension.

Chapter 3. OLD AGE INSURANCE AND DEATH INSURANCE (PENSIONS)

Article 22. A French or Turkish employed person who, during his career, has been subject, successively or alternately, in the two contracting countries to one or more old age or death (survivors' pension) insurance schemes in each of those countries may, at the time when his entitlement to benefits is established, choose whether the legislation of each of the contracting countries shall be applied jointly or separately.

If he chooses to have the legislation of the two countries applied separately, the benefits which he may claim under the legislation of each country shall be paid without taking into account the insurance periods or equivalent periods completed

in the other country, as though the insured person had been subject to the legislation of one country only.

If, on the other hand, he chooses to have the legislation of the countries applied jointly, the benefits which he may claim under the legislation of both countries shall be paid in accordance with the regulations laid down in the following articles of this chapter.

Article 23. 1. The insurance periods completed under the legislation of each of the two contracting countries, together with the periods recognized as equivalent to insurance periods shall, provided that they do not overlap, be aggregated for the purposes both of the determination of the right to benefits and of the maintenance or recovery of this right.

2. The periods recognized as equivalent to insurance periods shall, in each country, be those which are recognized as such under the legislation of that country.

Where the period recognized as equivalent to an insurance period under the legislation of one country coincides with an insurance period completed in the other country, only the insurance period shall be taken into consideration by the institution of the latter country.

Where the same period is recognized as equivalent to an insurance period under both French and Turkish legislation, that period shall be taken into consideration by the institution of the country in which the person was last compulsorily insured before the period in question.

3. Where the legislation of one contracting country makes it a condition for the award of particular benefits that the insurance periods should have been completed in an occupation which is subject to a special insurance scheme or to special insurance provisions, for the purpose of qualification for such benefits, only the periods completed under the corresponding special scheme or special provisions of the other country shall be taken into account.

If, in either contracting country, there is no special scheme or special provision for the occupation in question, the insurance periods completed in that occupation shall nevertheless be taken into account for the purpose of qualification for benefits under the general scheme.

Article 24. Taking into account the aggregation of the periods completed as stated in the preceding article, the competent institution of each country shall determine, in accordance with its own legislation, whether the person concerned satisfies the conditions required for entitlement to the old age insurance benefits provided for under that legislation.

Where the right to benefit is established, the competent institution of each country shall determine, for the sake of form, the benefit to which the insured person would be entitled if all the insurance periods or periods recognized as equivalent, aggregated in accordance with the regulations laid down in the preceding article, had been completed exclusively under its own legislation.

The benefit actually payable to the person concerned by the competent institution of each country shall be determined by reducing the amount of the benefit referred to in the preceding paragraph in proportion to the duration of the insurance periods or periods recognized as equivalent completed under its own legislation in relation to the entire period completed in the two countries.

Article 25. Where the insurance periods completed under the legislation of either country amount to less than one year, no benefit shall be payable under the legislation of that country.

Those periods shall, however, be taken into consideration for the purpose of the acquisition of entitlement to benefits by aggregation under the legislation of the other country, within the terms of article 23 above.

Article 26. Where the person concerned does not, simultaneously, satisfy the conditions imposed by the two bodies of legislation applicable to him, but satisfies only the conditions imposed by one of those bodies of legislation, the payment of the old age benefit by aggregation of the periods completed in the two countries shall be postponed until the conditions imposed by the other body of legislation are also satisfied.

He shall be entitled only to the benefits provided for under the national legislation which confers the entitlement, account being taken only of the periods completed under that legislation.

When the conditions imposed by the other body of legislation are satisfied, the benefits already determined under the terms of articles 23 and 24 above shall be revised, provided that those benefits did not involve a reimbursement of contributions.

Article 27. The provisions of this chapter shall, by analogy, apply to the rights of surviving spouses and children.

Chapter 4. PROVISIONS COMMON TO DISABILITY, OLD AGE AND DEATH (PENSIONS) INSURANCE

Article 28. Where the legislation of one contracting country makes the grant of particular benefits or the completion of certain formalities conditional upon the fulfilment of certain conditions of residence in that country, such conditions shall not apply to Turkish or French nationals while resident in either contracting country.

Article 29. Where, under the legislation of either contracting country, the payment of benefits is based on the average salary for the whole insurance period or for part of it, the average salary to be taken into account for the computation of the benefits to be paid by that country shall be determined on the basis of the salary earned during the insurance period completed under the legislation of the said country.

Article 30. For the purposes of the application of the Turkish legislation referred to in article 4, paragraph 1, subparagraph 2:

1. Where an employed person has been subject to a social security scheme under French legislation before becoming subject to Turkish legislation, the date on which he first became subject to French legislation shall be deemed to be the date on which he first became subject to disability, old age and death insurance under Turkish legislation.

2. The expression "insurance period" to be taken into consideration for the purposes of the application of the rules concerning aggregation and, where appropriate, proportioning, shall be understood to mean the contributory periods under Turkish legislation.

3. Owing to the different methods of computing insurance periods under the legislation of the two Parties, it should be understood that, where French legislation expresses an insurance period in whole months, one month shall be equivalent to a contributory period of thirty days under Turkish legislation.

Chapter 5. FAMILY BENEFITS

Article 31. Turkish persons engaged in employment or in an activity treated as such in French territory may claim family allowances for their children resident in Turkish territory, if they fulfil the occupational requirements laid down in French legislation for the payment of family allowances. The number of children covered by such allowances shall, however, be limited to a maximum of four.

Article 32. The Administrative Agreement shall establish, *inter alia*, the categories of children covered, the age limit for the payment of family allowances, the rate of such allowances according to a scale annexed to the agreement, the manner of payment of said allowances and the periods for which they shall be awarded.

Article 33. Children of the employed persons referred to in article 6 (1) of this Convention who accompany such persons to the territory of the other country, shall be entitled to receive the family benefits provided for under the legislation of their country of origin, as specified in the Administrative Agreement.

Such benefits shall be paid directly by the competent family allowance institution in the country of origin of the persons concerned.

Chapter 6. INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

Article 34. 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.

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

Article 35. A French employed person who sustains an industrial accident or contracts an occupational disease in Turkey or a Turkish employed person who sustains an industrial accident or contracts an occupational disease in France, who has acquired the right to the benefits payable during the period of temporary incapacity, shall retain the right to such benefits if he transfers his residence to the territory of the authorization of the Turkish or French institution with which he is insured.

Such authorization shall be valid only for the period fixed by the insuring institution.

If, on the expiry of the period thus fixed, the state of health of a person who has sustained an industrial accident or contracted an occupational disease so requires, the period shall, by a decision of the insuring institution on the basis of a favourable opinion by its medical supervisors, be extended until he has recovered or until the wound has healed properly.

Article 36. Where the French or Turkish employed person suffers a recurrence of the effects of his accident or his occupational disease after he has transferred his residence to the other country, he shall be entitled to industrial accident insurance benefits in kind (treatment), provided that he has obtained the agreement of the Turkish or French institution with which he was insured at the time of the accident or when the occupational disease was certified for the first time.

Article 37. In the cases specified in articles 35 and 36, benefits in kind (treatment) shall be provided by the institution in the new country of residence of the employed person, in accordance with the provisions of the legislation applicable in that country as regards the scale of such benefits and the manner of providing them. In the case specified in article 35, the cash benefits (daily allowances) shall be paid by the institution with which the person concerned is insured, in accordance with the legislation applicable to him.

However, where a Turkish employed person sustains an industrial accident in agriculture in France, cash benefits and benefits in kind shall be provided directly by the responsible employer or by the insurer acting for him.

Article 38. In the cases specified in articles 35 and 36, the cost of benefits shall be borne by the institution with which the employed person is insured.

The Administrative Agreement shall determine the manner in which benefits in kind shall be reimbursed by the insuring institution to the institution in the new country of residence.

Article 39. In the cases specified in articles 35 and 36, the provision of prosthesis, large appliances and other major benefits in kind, a list of which shall be annexed to the Administrative Agreement, shall be subject, except in cases of urgency, to authorization by the institution with which the person concerned is insured.

Article 40. For the purpose of assessing the degree of permanent incapacity resulting from an industrial accident or occupational disease from the standpoint of the legislation of one of the countries, industrial accidents previously sustained and occupational diseases previously contracted under the legislation of the other country shall be taken into account as though they had been sustained or contracted under the legislation of the first country.

Article 41. 1. Where a person who has contracted an occupational disease has been engaged in the territory of both countries in an occupation capable of producing that disease, the benefits which he or his survivors may claim shall be granted exclusively under the legislation of the country in whose territory he last engaged in the occupation in question, provided that he satisfies the conditions provided for under that legislation.

2. Where the legislation of one of the countries makes it a condition for the award of occupational disease benefits that the disease should have been medically certified for the first time in its territory, that condition shall be deemed to have been fulfilled if the disease was certified for the first time in the territory of the other country.

Article 42. Where a deterioration in the state of an occupational disease for which compensation is paid under the legislation of one of the countries occurs while the person concerned is resident in the other country, the following rules shall apply:

(a) If the employed person has not engaged in the territory of his new country of residence in an occupation capable of producing or aggravating the occupational disease in question, the insuring institution of the first country shall continue to be responsible for the benefits payable under its own legislation, taking the said deterioration into account;

(b) If the employed person has engaged in such an occupation in the territory of his new country of residence, the insuring institution of the first country shall continue to be responsible for the benefits payable under its own legislation,

no account being taken of the said deterioration; the insuring institution of the new country of residence shall pay the employed person an additional benefit, the amount of which shall be fixed in accordance with its own legislation and shall be equal to the difference between the amount of the benefit payable after the said deterioration and that which would have been payable if the disease, before the deterioration, had been contracted in its own territory.

Chapter 7. DEATH BENEFITS

Article 43. French persons employed in Turkey and Turkish persons employed in France shall be eligible for death benefits under the legislation of their new residence, if:

- (a) they have been engaged in that country in an occupation subject to insurance;
- (b) they satisfy, in that country, the conditions imposed for receipt of those benefits.

Article 44. If, at the time of his death, an employed person has not completed the insurance period required under the legislation of the new country of employment for eligibility for the benefits in question, the insurance periods or equivalent periods previously completed by the employed person in the other country shall be added to the insurance periods or equivalent periods completed in the new country of employment.

TITLE III. MISCELLANEOUS PROVISIONS

Article 45. A general Administrative Agreement, drawn up by the competent administrative authorities of the two countries, shall, as necessary, determine the conditions for the application of this Convention, in particular those concerning the articles which expressly refer to the said Agreement.

That Agreement shall designate the liaison agencies of the two countries.

Furthermore, models of the standard forms required for the implementation of the procedures and formalities jointly agreed upon shall be annexed to the general Administrative Agreement or, where appropriate, to a supplementary Administrative Agreement.

Article 46. In each contracting country, the Ministers responsible, each within the limits of his competence, for the application of the schemes enumerated in article 4 shall be deemed to be the competent administrative authorities for the purposes of this Convention.

Article 47. The competent administrative authorities of the two countries shall:

- in addition to drawing up the general Administrative Agreement referred to in article 45, make any administrative arrangements supplementing or amending that Agreement;
- communicate to each other full information regarding any measures taken in their respective countries for the application of this Convention and the agreements drawn up or arrangements made for its application;
- consider together any difficulties which might arise, at the technical level, from the application of the provisions of this Convention or the agreements drawn up or arrangements made for its application;

—communicate to each other directly any information regarding changes made in the legislation or regulations referred to in article 4 in so far as such changes might affect the application of this Convention or the agreements drawn up or arrangements made for its application.

Article 48. The competent administrative 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 country as if the matter were one affecting the application of their own social security legislation.

Article 49. 1. Any exemption from registration fees, court fees, stamp duties and consular fees provided for by the legislation of one contracting country in respect of documents required to be produced to the authorities or social security institutions of that country 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 country.

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 50. Appeals in matters of social security which should have been presented within a prescribed time-limit to an authority, institution or court of either contracting country competent to receive them shall be admissible if they are presented within the same time-limit to a corresponding authority, institution or court of the other country. In such cases, the transmission of appeals to the competent authority, institution or court of the first-mentioned country shall take place without delay.

Article 51. The Administrative Agreement shall determine what medical reports, information and controls are required for the purposes of assessing incapacity and the degree of disability.

Article 52. Unless otherwise decided by this Convention, the provisions of the legislation of the Contracting Parties which make the grant of benefits conditional upon residence in the territory of that Party shall not apply to the beneficiaries while they are resident in the territory of the other Contracting Party.

Article 53. Communications which for the purposes of this Convention are sent by beneficiaries under the Convention or by authorities, institutions or courts of either country to authorities, institutions or courts of the other country shall be drawn up in the official language of one or the other country.

Article 54. The institutions responsible, by virtue of this Convention, for the payment of benefits shall be held to discharge their responsibility validly by payment in the currency of their country.

Article 55. Notwithstanding any internal provisions relating to exchange regulations, the two Governments shall mutually undertake to present no obstacle to the free transfer of moneys in all financial transactions resulting from the application both of this Convention and of the social security legislation of the other Party.

The competent administrative authorities of the two countries shall, by means of an administrative agreement, make the liaison agencies of the two countries responsible for centralizing, with a view to their transfer to the other country, all or part of the benefits provided for in this Convention.

Article 56. Nothing in this Convention shall in any way invalidate the rules laid down by the legislation referred to in article 4 with respect to the participation of foreigners in the elections connected with the functioning of the social security systems of each country.

Article 57. Any formalities which may be prescribed by the laws or regulations of one contracting country for the payment in the other country of benefits provided by the competent institutions of the first-mentioned country shall also apply, in the same manner as to nationals, to persons awarded such benefits under this Convention.

Article 58. 1. Any difficulties relating to the application of this Convention shall be resolved by agreement between the administrative authorities referred to in article 46.

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

TITLE IV. TRANSITIONAL AND FINAL PROVISIONS

Article 59. 1. Annuities or pensions which, prior to the entry into force of this Convention, had not been determined or had been determined separately, or which had been reduced, or the payment of which had been suspended by reason of the nationality or residence of the beneficiaries concerned, in application of the provisions in force in each of the contracting countries, shall be determined, reassessed or paid under the terms of the Convention.

2. The determination, reassessment or payment of the annuities or pensions in question shall be effected upon the application of the persons concerned.

The application shall be submitted to the competent institutions of either contracting country.

It shall take effect from the first day of the month following that in which the application was submitted.

3. If the application is submitted within one year from the date of the entry into force of the Convention, it shall take effect retroactively from the first day of the month following that date.

Article 60. The Government of 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 61. 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 yearly period.

In the event of denunciation, any rights acquired in accordance with this Convention 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 20 January 1972, in duplicate in the French and Turkish languages, both texts being equally authentic.

For the Government of the French Republic:
GILBERT DE CHAMBRUN

For the Government of the Republic of Turkey:
H. E. ISIK

ANNEXED PROTOCOL

TO THE GENERAL CONVENTION ON SOCIAL SECURITY BETWEEN THE FRENCH REPUBLIC AND THE REPUBLIC OF TURKEY

At the time of the signing, on this date, the General Convention on Social Security between the French Republic and the Republic of Turkey, the two Contracting Parties agree that, since there is no corresponding legislation in the Turkish social security system, French persons employed in Turkey and insured under that system shall not receive any family benefits under that Convention in respect of their families resident in Turkey or in France.

An assurance is given by the Turkish side, and noted by the French side, that, in the event of legislation relating to family benefits being introduced in Turkey:

- On the one hand, and notwithstanding the provisions of article 4 (2) of the Convention, French persons employed in Turkey shall benefit automatically under such legislation, when the family is resident or acquires residence in Turkish territory;
- On the other hand, an agreement amending the Convention shall be immediately concluded between the two Contracting Parties, on the basis of the principle of reciprocity, with a view to harmonizing, in respect of family allowances, the situation of families remaining in either country, when the employed person is engaged in employment in the territory of the other.

The two Contracting Parties shall consider this protocol to be an integral part of the General Convention.

DONE at Paris on 20 January 1972, in duplicate, in the French and Turkish languages, both texts being equally authentic.

For the Government of the French Republic:
GILBERT DE CHAMBRUN

For the Government of the Republic of Turkey:
H. E. ISIK