

No. 18968

**SPAIN, FEDERAL REPUBLIC
OF GERMANY and FRANCE**

Agreement on the extension of some social security provisions. Signed at Paris on 1 March 1977

Authentic texts: Spanish, German and French.

Registered by Spain on 11 July 1980.

**ESPAGNE, RÉPUBLIQUE FÉDÉRALE
D'ALLEMAGNE et FRANCE**

Accord relatif à l'extension de certaines dispositions de sécurité sociale. Signé à Paris le 1^{er} mars 1977

Textes authentiques : espagnol, allemand et français.

Enregistré par l'Espagne le 11 juillet 1980.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENTS OF THE SPANISH STATE, THE FEDERAL REPUBLIC OF GERMANY AND THE FRENCH REPUBLIC ON THE EXTENSION OF SOME SOCIAL SECURITY PROVISIONS

The Governments of the Spanish State, the Federal Republic of Germany and the French Republic,

Desiring to improve health insurance coverage in respect of sickness, maternity, industrial accidents and occupational diseases for Spanish, German and French persons insured under the social security legislation in force in one of those countries but to whom neither the EEC regulations nor the social security agreements in force between the Contracting Parties are applicable, and

Taking into account the fact that, in some cases the Contracting Parties have an interest in ensuring that workers resident in a country of which they are not nationals continue to belong to the social security scheme of the country of their employment,

Have agreed as follows:

Article 1. 1. (A) French insured persons who are entitled to health and economic insurance benefits in respect of sickness, maternity, industrial accidents and occupational diseases under the social security scheme in force in the Federal Republic of Germany or in Spain shall receive such benefits while temporarily resident in the other country, on the same terms and in the same way as German or Spanish insured persons temporarily resident in Spain or in the Federal Republic of Germany.

(B) For the purpose of implementing this provision, the provisions of the Hispano-German Agreement on social security of 4 December 1973,² together with those of the Supplementary Agreement of 17 December 1975, and the provisions adopted for their implementation in respect of granting and reimbursing benefits and of cost allocation shall apply *mutatis mutandis*.

2. (A) Spanish insured persons who are entitled to health and economic insurance benefits in respect of sickness, maternity, industrial accidents and occupational diseases under the social security scheme in force in the Federal Republic of Germany or in France shall receive such benefits while temporarily resident, in the other country, on the same terms and in the same way as German or French insured persons temporarily resident in France or in the Federal Republic of Germany.

(B) For the purpose of implementing this provision, Regulation (EEC) No. 1408/71 of the Council of the European Community of 14 June 1971 and the provisions adopted for its implementation in respect of granting and reimbursing benefits and of cost allocation shall apply *mutatis mutandis*.

¹ Came into force on 1 February 1979, i.e., the first day of the second month after the date of receipt of the last of the notifications (22 December 1978) confirming the completion of the required constitutional procedures, in accordance with article 4 (1).

² United Nations, *Treaty Series*, vol. 1108, p. 247.

3. (A) German insured persons who are entitled to health and economic insurance benefits in respect of sickness, maternity, industrial accidents and occupational diseases under the social security scheme in force in France or in Spain shall receive such benefits while temporarily resident in the other country, on the same terms and in the same way as French or Spanish insured persons temporarily resident in Spain or in France.

(B) For the purpose of implementing this provision, the provisions of the Franco-Spanish General Convention on Social Security of 31 October 1974¹ and the provisions adopted for its implementation in respect of granting and reimbursing benefits and of cost allocation shall apply *mutatis mutandis*.

4. The provisions of paragraphs 1 to 3 of this article shall apply *mutatis mutandis* to the dependent family members of the insured person.

Article 2. 1. In the relations between France and the Federal Republic of Germany, the provisions of articles 14 and 17 of Regulation (EEC) No. 1408/71, and those adopted for its implementation, shall apply *mutatis mutandis*, in respect of the material conditions specified in that regulation, to Spanish workers customarily resident in France or in the Federal Republic of Germany.

2. In the relations between France and Spain, the provisions of articles 7 and 8 of the Franco-Spanish General Convention on social security and the provisions adopted for its implementation shall apply *mutatis mutandis*, in respect of the material conditions specified in the Convention, to German workers customarily resident in France or in Spain.

3. In the relations between Spain and the Federal Republic of Germany, the provisions of articles 7 and 10 of the Hispano-German Agreement on social security, those of the Hispano-German Agreement on unemployment insurance of 20 April 1966,² and those adopted for their implementation shall apply *mutatis mutandis*, in respect of the material conditions specified in those agreements, to French workers customarily resident in Spain or in the Federal Republic of Germany.

Article 3. This Agreement shall also apply to *Land Berlin* unless the Government of the Federal Republic of Germany makes a declaration to the contrary, to the Government of the Spanish State and to the Government of the French Republic within three months after the entry into force of this Agreement.

Article 4. 1. Each of the Contracting Parties shall notify the other Parties of the completion of the constitutional procedures required by it for the entry into force of this Agreement. The Agreement shall enter into force on the first day of the second month following the date of receipt of the last of the notifications.

2. This Agreement 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 by one of the Contracting Parties by written notification to the other Contracting Parties three months before the expiry of any such yearly period.

3. This Agreement shall cease to have effect:

(A) If Regulation (EEC) No. 1408/71, or the Franco-Spanish Convention of 31 October 1974, or the Hispano-German Agreement of 4 December 1973 or that of

¹ United Nations, *Treaty Series*, vol. 1019, p. 73.

² United Nations, *Treaty Series*, vol. 1194, No. 1-18967.

20 April 1966, or the Supplementary Agreement of 17 December 1975 ceases to have effect and has not been replaced;

- (B) If one of the above-mentioned instruments has been amended or replaced, provided that the Party not affected, previously informed by the other Parties in the shortest possible time, notifies those Parties of its opposition within three months following the first date on which it was informed.

4. In the case referred to in paragraph 3, subparagraph (A), the Agreement shall cease to have effect on the same date as that on which anyone of the said instruments ceases to have effect.

In the case referred to in paragraph 3, subparagraph (B), the Agreement shall cease to have effect on the date on which the amendment or new instrument enters into force.

DONE at Paris on 1 March 1977, in triplicate in the Spanish, German and French languages, all texts being equally authentic.

For the Government
of the Spanish State:

[Signed]

FRANCISCO JAVIER ELORZA
Marqués de Nerva
Ambassador of Spain
in Paris

For the Government
of the Federal Republic
of Germany:

[Signed]

AXEL HERBST
Ambassador of Germany
in Paris

For the Government
of the French
Republic:

[Signed]

XAVIER JEANNOT
Director
of Administrative
Agreements
