

No. 24229

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**SPAIN  
and  
BRAZIL**

**Agreement for the implementation of a social and labour programme, supplementary to the Agreement on social co-operation of 11 August 1964. Signed at Madrid on 12 April 1984**

*Authentic texts: Spanish and Portuguese.  
Registered by Spain on 18 June 1986.*

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**ESPAGNE  
et  
BRÉSIL**

**Accord pour la mise en œuvre d'un programme d'action sociale complémentaire à l'Accord de coopération sociale en date du 11 août 1964. Signé à Madrid le 12 avril 1984**

*Textes authentiques : espagnol et portugais.  
Enregistré par l'Espagne le 18 juin 1986.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> FOR THE IMPLEMENTATION OF A SOCIAL AND LABOUR PROGRAMME, SUPPLEMENTARY TO THE AGREEMENT ON SOCIAL CO-OPERATION OF 11 AUGUST 1964 BETWEEN THE GOVERNMENT OF SPAIN AND THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL<sup>2</sup>

The Government of Spain and

The Government of the Federative Republic of Brazil,

Within the framework of the Agreement on social co-operation of 11 August 1964<sup>3</sup> and the Basic Agreement on technical co-operation of 1 April 1971,<sup>3</sup> agree to conclude the following Supplementary Agreement for the implementation of a social and labour programme:

*Article I.* The designated executing agencies for the Supplementary Agreement shall be, in the case of Spain, the Ministry of Labour and Social Security and, in the case of Brazil, the Ministry of Labour, the National Industrial Apprenticeship Service (SENAI), the National Commercial Apprenticeship Service (SENAC) and the Jorge Duprat Figueiredo Foundation for Industrial Safety and Medicine (FUNDACENTRO). The Ministry of Labour shall also be responsible for co-ordinating this Supplementary Agreement.

*Article II.* Co-operation between Spain and Brazil under this Supplementary Agreement shall involve performing joint consultancy work and advising on and improving manpower training capacity in the spheres of competence of the designated executing agencies.

*Article III.* The activities provided for in this Supplementary Agreement shall be implemented throughout 1984, 1985 and 1986. The implementation of this Agreement shall be conditional on the participation of the Interministerial Technical Co-operation System, comprising the Technical Co-operation Division of the Ministry of Foreign Affairs and the International Economic and Technical Co-operation Secretariat of the Planning Secretariat of the Office of the President of the Republic.

*Article IV.* By this Agreement the Spanish Government undertakes:

I. To send to Brazil:

- (a) An expert mission to co-operate with the Ministry of Labour in executing programmes of mutual interest in the areas of administrative planning and management, labour relations, employment, co-operatives, vocational training and industrial safety and hygiene. This mission shall operate for a total maximum of 77 expert-months;

<sup>1</sup> Came into force on 21 May 1986, the date of the last of the notifications by which the two Parties informed each other (on 14 June 1984 and 21 May 1986) of the completion of the internal constitutional requirements, in accordance with article IX.

<sup>2</sup> United Nations, *Treaty Series*, vol. 657, p. 221.

<sup>3</sup> *Ibid.*, vol. 957, p. 95.

- (b) An expert mission to co-operate with SENAC in executing vocational training programmes. This mission shall operate for a total maximum of 80 expert-months;
- (c) An expert mission to co-operate with FUNDACENTRO in executing industrial safety, health and hygiene programmes. This mission shall operate for a total maximum of 80 expert-months.

II. 1. To award and fund a maximum of 22 fellowships for the advanced training in Spain of executives, technicians and counterparts of the Spanish experts representing the agencies receiving Spanish co-operation, distributed as follows:

- (a) Ten Brazilian fellowship-holders under the programmes referred to in subparagraph I (a) of this article;
- (b) Four Brazilian fellowship-holders under the programmes referred to in subparagraph I (b) of this article;
- (c) Eight Brazilian fellowship-holders under the programmes referred to in subparagraph I (c) of this article.

2. To have one of the experts referred to in this article act as head of the Spanish technical co-operation mission, with the following functions, without prejudice to any duties he may have as an expert:

- (a) To direct and co-ordinate the programmes referred to in subparagraph I of this article;
- (b) To represent the Ministry of Labour and Social Security of Spain to Brazilian authorities in the same area of competence, under the supervision of the Labour Attaché of the Embassy of Spain at Brasilia;
- (c) To prepare periodic reports on the activities of the various Spanish technical co-operation missions in accordance with guidelines established by the Ministry of Labour and Social Security of Spain;
- (d) To evaluate programme implementation with the Brazilian authorities, and to consider with them any changes that may be necessary.

III. To supply to its Brazilian counterpart free of charge and on an exchange basis, any publications and teaching materials prepared by the Spanish Ministry of Labour and Social Security and deemed necessary for the execution of the various co-operation programmes.

*Article V.* The Government of the Federative Republic of Brazil undertakes:

1. To grant the necessary facilities for the execution of the programmes provided for in this Agreement;
2. To make available to programmes the necessary counterpart technical personnel, who shall work directly with the Spanish experts;
3. To make available, furnished and equipped, to the Spanish experts the offices and premises necessary for the execution of programmes;
4. To provide any secretarial support staff deemed necessary;
5. To make available to the Spanish experts the means of transport necessary for them to travel in the performance of their duties and, in the event of travel

away from their normal place of residence, to pay travel and subsistence costs at the same rate as that established for their Brazilian counterparts;

6. To accord Spanish experts the privileges and immunities relating to the import and export of personal effects and exemption from taxes provided for in article VIII of the Basic Agreement on technical co-operation between the two Governments;
7. To provide the Spanish experts with the necessary medical, pharmaceutical and hospital care;
8. To exempt any equipment or materials supplied for the project by the Government of Spain from licence requirements, port fees, import duties and other taxes, taking the necessary steps to ensure that executing agencies assume any costs arising from storage.

*Article VI.* In order to ensure the effective implementation of this Agreement, an Evaluation Committee shall be set up, composed of representatives of the executing agencies of the two countries, which shall meet periodically to supervise and monitor the execution of the Agreement, and suggest any changes and adjustments deemed advisable.

*Article VII.* Costs arising from fulfilment of the commitments entered into under this Agreement shall be financed as follows:

1. The financial obligations assumed by the Spanish Government shall be charged against the normal budget appropriations for technical co-operation allocated to the Ministry of Labour and Social Security, without recourse to supplementary or special appropriations.

2. The travel costs and remuneration of the Spanish experts shall be borne by the Spanish Government, with the Brazilian executing agencies contributing a monthly amount in Brazilian currency equivalent to \$US 600 towards the experts' remuneration.

3. The fellowships referred to in article IV, subparagraph II.1, which shall each have a maximum duration of three months, shall be funded by the Spanish Government and shall cover the cost of instruction, teaching and work materials, trips organized within Spain, accident and sickness insurance and a monthly allowance per recipient of the equivalent in Spanish currency of \$US 1,200. The Brazilian executing agencies shall pay recipients' round-trip air fare and their full salaries in Brazil during their stay in Spain.

*Article VIII.* All inter-agency co-operation and exchange activities between the Spanish Ministry of Labour and Social Security and the National Industrial Apprenticeship Service (SENAI) of Brazil shall be agreed upon by the Parties by means of an additional protocol to this Supplementary Agreement, which shall enter into force through an exchange of notes.

*Article IX.* This Agreement shall enter into force when the two Parties notify each other officially that their internal constitutional requirements have been complied with, and shall cease to have effect on 31 December 1986. However, its provisions may be extended in respect of any programmes still in progress on that date.

This Agreement may be denounced by either Party. Denunciation shall take effect six months after the date of receipt of the relevant notification.

DONE at Madrid on 12 April 1984, in two original copies, in the Spanish and Portuguese languages, both texts being equally authentic.

For the Government  
of Spain:

*[Signed]*

FERNANDO MORÁN  
Minister for Foreign  
Affairs

For the Government  
of the Federative Republic  
of Brazil:

*[Signed]*

R. E. GUERREIRO  
Minister for Foreign  
Affairs

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