

N° 1718.

ALLEMAGNE ET POLOGNE

Convention concernant l'assistance
aux sans-travail et l'assurance
contre le chômage, avec protocole
final. Signés à Berlin, le 14 juillet
1927.

GERMANY AND POLAND

Convention concerning Unemploy-
ment Relief and Unemployment
Insurance, with Final Protocol.
Signed at Berlin, July 14, 1927.

TEXTE POLONAI. — POLISH TEXT.

N^o 1718. — UKŁAD¹ POMIĘDZY RZĄDEM RZECZYPOSPOLITEJ POLSKIEJ A RZĄDEM RZESZY NIEMIECKIEJ W SPRAWIE POMOCY DLA POZBAWIONYCH ZAROBKU I UBEZPIECZENIA NA WYPADEK BEZROBOCIA PODPISANY W BERLINIE DNIA 14 LIPCA, 1927 r.

German and Polish official texts communicated by the German Consul General at Geneva. The registration of this Convention took place May 18, 1928.

RZĄD RZECZYPOSPOLITEJ POLSKIEJ i RZĄD RZESZY NIEMIECKIEJ postanowiły uregulować wzajemne stosunki w dziedzinie pomocy dla pozbawionych zarobku i ubezpieczenia na wypadek bezrobocia i w tym celu mianowały swymi Pełnomocnikami :

RZĄD RZECZYPOSPOLITEJ POLSKIEJ PP. :

dr. Witolda PRĄDZYŃSKIEGO, Członka Komisji Kodyfikacyjnej Rzeczypospolitej Polskiej i
dr. Hermana HOROWITZA, Naczelnika Wydziału w Ministerstwie Pracy i Opieki Społecznej,

RZĄD RZESZY NIEMIECKIEJ PP. :

dr. Georg MARTIUS, Radcę Legacyjnego-Referendarza w Urzędzie Spraw Zagranicznych i
dr. Bernhard LEHFELDT, Radcę Ministerjalnego w Ministerstwie Pracy Rzeszy Niemieckiej,

k którzy po zbadaniu swych pełnomocnictw, uznanych za sporządzone w dobrej i należytej formie, zgodzili się na następujące postanowienia :

Artykuł 1.

Obywatelom polskim przyznane zostają na obszarze Rzeszy Niemieckiej świadczenia pomocy dla pozbawionych zarobku, a po wprowadzeniu ubezpieczenia na wypadek bezrobocia świadczenia też na tych samych warunkach i w takim samym zakresie, jak obywatelom Rzeszy. Tak samo obywatelom Rzeszy Niemieckiej przysługuje na obszarze Rzeczypospolitej Polskiej prawo do świadczeń zabezpieczenia na wypadek bezrobocia na tych samych warunkach i w takim samym zakresie, jak obywatelom polskim.

Artykuł 2.

Obywatelom polskim przyznane zostają na obszarze Rzeszy Niemieckiej świadczenia pomocy na wypadek kryzysów gospodarczych na tych samych warunkach i w takim samym zakresie, jak obywatelom Rzeszy. Tak samo obywatelom Rzeszy Niemieckiej przysługuje na obszarze Rzeczypospolitej Polskiej prawo do świadczeń państwowej pomocy doraźnej dla bezrobotnych na tych samych warunkach i w tym samym zakresie, jak obywatelom polskim.

¹ Came into force July 18, 1927.

¹ TRANSLATION.

No. 1718. — CONVENTION BETWEEN THE GOVERNMENT OF THE GERMAN REICH AND THE GOVERNMENT OF THE POLISH REPUBLIC CONCERNING UNEMPLOYMENT RELIEF AND UNEMPLOYMENT INSURANCE. SIGNED AT BERLIN, JULY 14, 1927.

THE GOVERNMENT OF THE GERMAN REICH and THE GOVERNMENT OF THE POLISH REPUBLIC have resolved to regulate their mutual relations in the matter of unemployment relief ; and unemployment insurance, and have for this purpose appointed as their Plenipotentiaries :

THE GOVERNMENT OF THE GERMAN REICH :

Dr. Georg MARTIUS, Counsellor of Legation at the Ministry of Foreign Affairs ; and

Dr. Bernhard LEHFELDT, Ministerial Counsellor in the Reich Ministry of Labour ;

THE GOVERNMENT OF THE POLISH REPUBLIC :

Dr. Witold PRĄDZYŃSKI, Member of the Codification Commission of the Polish Republic ;
and

Dr. Herman HOROWITZ, Chief of Section in the Ministry of Labour and Social Welfare ;

Who, having communicated their full powers, found in good and due form, have agreed upon the following provisions :

Article 1.

Polish nationals in the German Reich shall be granted the benefits of unemployment relief and, when instituted, of unemployment insurance, under the same conditions and to the same extent as nationals of the German Reich. Similarly, nationals of the German Reich in the Polish Republic shall enjoy the benefits of unemployment insurance under the same conditions and to the same extent as Polish nationals.

Article 2.

Polish nationals in the German Reich shall be granted the relief allowed in times of economic crisis under the same conditions and to the same extent as nationals of the German Reich. Similarly, nationals of the German Reich in the Polish Republic shall enjoy the benefits of emergency Government assistance for unemployed under the same conditions and to the same extent as Polish nationals.

¹ Translated by the Secretariat of the League of Nations, for information.

Article 3.

Benefits granted in virtue of Articles 1 and 2 of the present Convention shall not involve the consequences attaching to poor relief.

Article 4.

1. The German and Polish Governments undertake to notify each other as soon as possible of any substantial modification of the kinds of assistance to unemployed (unemployment relief) mentioned in Articles 1 and 2 of the present Convention.

2. A modification shall be regarded as substantial if it :

- (1) Concerns a law or decree,
- (2) Is decreed by a decision of the Cabinet, or
- (3) Extends to the whole territory of the State, or to its cities or its industrial areas.

Article 5.

In the case of claimants who are granted benefits in virtue of the present Convention, the " waiting period " shall be reckoned from the date of registration, even where such registration was effected prior to the entry into force of the present Convention. The same shall also apply where, in cases of earlier registration, the claim had been refused owing to the foreign nationality of the claimant.

Article 6.

1. The present Convention shall come into force on July 18, 1927, and shall be valid in the first place for one year. Its validity shall be extended by periods of one year, unless denounced three months prior to the expiry of such periods of validity.

2. If, in either of the Contracting States, the legal status of one of those kinds of assistance to unemployed (unemployment relief) mentioned in Articles 1 and 2 should undergo a substantial modification (Article 4), the Government of the other State may, if it considers that the benefits are considerably reduced thereby, denounce the Convention within a period of two months from the receipt of the notification to be made to it in conformity with Article 4. The denunciation may only have effect as from the end of a calendar month ; the period of denunciation is fixed at three months.

3. In order to avoid denunciation of the Convention in the event of any modification of the legal status, the Contracting Governments shall, in such a case, first endeavour, when necessary, to come to an agreement by means of negotiations.

Article 7.

The present Convention is drawn up in German and Polish in two originals, of which each Contracting Government shall receive one copy in German and in Polish. The German and Polish texts agree and are equally authentic.

BERLIN, July 14, 1927.

Dr. Georg MARTIUS.
Dr. Bernhard LEHFELDT.

Dr. Witold PRĄDZYŃSKI.
Dr. Herman HOROWITZ.

FINAL PROTOCOL.

I. The Contracting Governments have agreed that, so long as seasonal agricultural workers of Polish nationality in the German Reich are exempt in virtue of an agreement between the German and Polish Governments and in conformity with the Eighth Executive Order under the Decree concerning unemployment relief dated March 24, 1927, (*Reichsgesetzbl. I, page 81*), or in conformity with any regulations in lieu thereof, from the liability to pay contributions in connection with unemployment relief, they shall not fall within the scope of the present Convention and shall not in consequence receive the benefits of German unemployment relief. The same rule shall also apply after the introduction of a measure of unemployment insurance in the German Reich.

II. The Contracting Governments have further agreed that the present Convention shall be without prejudice to the German-Polish Convention concerning Upper Silesia of May 15, 1922, except in so far as the present Convention confers more extensive rights on the unemployed.

III. In conclusion, the Contracting Parties have agreed that the dispute in regard to the Polish law concerning unemployment insurance which, owing to the request submitted by the German Government in virtue of Article 2, paragraph 1, of the German-Polish Convention concerning Upper Silesia of May 15, 1922, is now pending before the Mixed Commission for Upper Silesia, shall be settled with the conclusion of the present Convention. After signing the present Convention the Contracting Governments shall instruct their representatives accredited to the Mixed Commission for Upper Silesia to notify the President of the Commission to this effect by means of a joint Note.

BERLIN, *July 14, 1927.*

Dr. Georg MARTIUS.
Dr. Bernhard LEHFELDT.

Dr. Witold PRĄDZYŃSKI.
Dr. Herman HOROWITZ.