9. The said Minister of National Insurance and the said Minister for Social Welfare shall from time to time determine the procedure appropriate for the purposes of this Agreement, and all matters of an incidental and supplementary nature which in their opinion are relevant for the purpose of giving effect thereto.

10.—(1) This Agreement shall have effect from 5th July, 1948, but shall not apply so as to affect the operation of the Workmen's Compensation Act, 1934, as respects any accident happening before 1st April, 1949.

(2) The said Minister of National Insurance or the said Minister for Social Welfare may terminate this Agreement on giving not less than six months previous notice in writing.

Given under the Official Seal of the Minister of National Insurance on the day and year first herein appearing.

(L.S.)

JAMES GRIFFITHS,
Minister of National Insurance.

Given under the Official Seal of the Minister for Social Welfare on the day and year first herein appearing.

(L.S.)

WILLIAM NORTON,
Minister for Social Welfare.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order gives effect in Great Britain to the agreement relating to insurance and workmen's compensation for masters and members of the crews of ships and vessels (set out in the Schedule to the Order) made between the Minister of National Insurance and the Minister for Social Welfare of Eire and modifies the National Insurance Acts, 1946 and 1948, in their application to persons affected by that agreement.

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2. FRANCE

The National Insurance and Industrial Injuries (Reciprocal Agreement with France) Order, 1949

1949 No. 2011

Made - - - - 28*th October*, 1949
Coming into Operation 1*st November*, 1949

At the Court at Buckingham Palace, the 28th day of October, 1949

Present,

The King's Most Excellent Majesty in Council

His Majesty, in pursuance of section 64 of the National Insurance Act, 1946(a) and section 85 of the National Insurance (Industrial Injuries) Act, 1946(b), and of all other powers enabling Him in that behalf, is pleased,

(a) 9 & 10 Geo. 6. c. 67. (b) 9 & 10 Geo. 6. c. 62.

by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the National Insurance and Industrial Injuries (Reciprocal Agreement with France) Order, 1949 and shall come into operation on the 1st November, 1949.

(2) The Interpretation Act, 1889(a), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Modification of Acts

2. The provisions contained in the Agreement on Social Security set out in the First Schedule to this Order (which supplements the general Agreement on Social Security set out in the Second Schedule to this Order) shall (subject to the provisions of the National Insurance (Reciprocal Agreement with France as to Retirement Pensions) Order, 1948(b) and the National Insurance (Industrial Injuries) (Reciprocal Agreement with France) Order, 1948(c)) have full force and effect so far as the same relate to England, Wales and Scotland, and the National Insurance Acts 1946 to 1949, shall have effect subject to such modifications as may be required therein for the purpose of giving effect (subject as aforesaid) to the provisions contained in the said first mentioned Agreement.

E. C. E. Leadbitter.

FIRST SCHEDULE

AGREEMENT SUPPLEMENTARY TO THE GENERAL AGREEMENT ON SOCIAL SECURITY BETWEEN THE UNITED KINGDOM AND FRANCE

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic, desirous of making the provisions necessary for the application of the General Agreement between the United Kingdom and France on Social Security signed at Paris on the 11th June, 1948, have agreed, in accordance with Article 28 of that Agreement, upon the following provisions:—

ARTICLE 1

The provisions of the General Agreement on Social Security between the contracting Governments signed at Paris on the 11th June, 1948 (hereafter in the present Agreement referred to as "the main Agreement") shall, as regards the several branches of social security referred to in Article 2 of the main Agreement, be applied to each such branch (except death grant under the legislation in Great Britain) in conjunction with any special provisions relating thereto which are set out in the following Articles.

The present Agreement is applicable to the territory of metropolitan France and its overseas Departments (Guadeloupe, Guiana, Martinique, Réunion) and to England, Wales and Scotland and the Isle of Man, and shall not apply to the Channel Islands or to citizens of the Irish Republic who are not British subjects.

(a) 52 & 53 Vict. c. 63. (b) S.I. 1948 (No. 1341) I, p. 2900.
(c) S.I. 1948 (No. 1342) I, p. 3025.

ARTICLE 2

The French legislative measures concerning the prevention of, and compensation for, industrial accidents and occupational diseases referred to in paragraph 1 of Article 2 of the main Agreement include only the law of 30th October, 1946, on the prevention of, and compensation for, industrial accidents and occupational diseases, together with provisions which amend or supplement that law.

ARTICLE 3

The provisions of sub-paragraph (*a*) of paragraph 2 of Article 3 of the main Agreement shall be applied to persons employed in the diplomatic or consular service of France or the United Kingdom who are of the nationality of the country employing them and who are posted temporarily in the other country, even if they are expected to remain in that country for more than six months.

ARTICLE 4

The references in Section 2 of Part II of the main Agreement to long-term sickness benefit under the British insurance scheme shall only be construed as references to:—

(*a*) sickness benefit payable in a period of interruption of employment under that scheme to persons who have already been entitled thereunder, in respect of that period of interruption of employment, to sickness benefit for three hundred and twelve days; and

(*b*) sickness benefit under that scheme the payment of which is resumed (whether or not in the same period of interruption of employment) by the British social security authorities in accordance with Article 7 of the main Agreement after suspension or discontinuance.

ARTICLE 5

In aggregating, for the purposes of Articles 6 and 11 of the main Agreement, insurance periods or periods recognised as equivalent to insurance periods, where an insured person has completed such periods simultaneously under the schemes of both countries, only that period shall be taken into account which was completed under the scheme of the country where he was actually resident at the time, and the period completed under the scheme of the other country shall be ignored.

ARTICLE 6

(1) If the wife or husband of an insured person is in France and the insured person (whether in Great Britain or in France) would, if that wife or husband had been in Great Britain, have been entitled in respect of that wife or husband to an increase of any of the benefits of the legislation specified in sub-paragraph (1) of paragraph 1 of Article 2 of the main Agreement, the amount of any such benefit to which that insured person may become entitled from the social security authorities of Great Britain shall not be affected by reason of the absence of that wife or husband from Great Britain.

(2) If a child of an insured person is in France and the insured person (whether in Great Britain or in France) would, if that child had been in Great Britain, have been entitled in respect of that child to an increase of any of the benefits referred to in paragraph (1) of this Article, the amount of any such benefit to which that insured person may become entitled from the social security authorities of Great Britain shall not be affected by reason of the absence of that child from Great Britain.

ARTICLE 7

(1) Any long-term sickness benefit, retirement pension or pension for an industrial accident which is paid in France by the French funds for the account of the British social security organisation shall be paid in arrear at intervals of three months.

(2) Subject to the provisions of the present agreement, the laws in force in Great Britain respecting retirement from regular employment and earnings shall be applied to retirement pension so paid but the French authorities shall determine any questions thereunder in accordance with the legal procedure of the French scheme.

(3) The sum to be deducted on account of earnings from any such retirement pension for any quarter shall be fifty francs for each complete fifty francs of the excess over the equivalent in francs of thirteen pounds of the earnings for that quarter.

(4) All other questions as to the right to any such pension shall be determined by the competent authority of Great Britain after such enquiry and consultation as it may deem necessary, and its decision shall be final, subject to the power to revise its decision on new facts being brought to its notice.

ARTICLE 8

(1) The following provisions apply with respect to retirement or old age pensions to which title matures before the date on which the present Agreement comes into force or within six months thereafter:—

(*a*) Subject to the provisions of paragraph (2) of this Article, those pensions (other than pensions to which Article 11 of the main Agreement applies) which are payable in France for the account of the British social security organisation shall be paid as from 5th July, 1948, or the date of maturity whichever is the later.

(*b*) Subject as aforesaid, those pensions which by virtue of Article 11 of the main Agreement are payable in either country by the French or British social security authorities, either for their own account or for the account of the social security authorities of the other country, shall be paid as from the date on which the present Agreement comes into force or the date of maturity, whichever is the later.

(2) Any pension specified in paragraph (1) of this Article shall be paid as from the appropriate date mentioned therein provided the claim therefor is made, and any relevant notice of retirement is given, within six months of the coming into force of the present Agreement, and, if the claim is not so made, or any such notice is not so given, the pension shall be payable as determined in accordance with paragraph (3) of this Article.

(3) Subject to the foregoing provisions of this Article, the competent authorities of the contracting Governments shall determine by mutual agreement in what manner and within what times claims and notices of retirement shall be made or given in relation to pensions to which the present Agreement and the main Agreement relate and the date as from which any such pension shall be payable.

ARTICLE 9

(1) The present Agreement shall enter into force on the 1st November, 1949.

(2) It is concluded for the duration of one year from the date of its coming into force, and will continue in force from year to year unless notice of termination is given three months before the expiration of the period, or unless the main Agreement is determined.

In witness whereof the undersigned, duly authorised by their respective Governments, have signed the present Agreement and have affixed their seals thereto.

Done in duplicate at London, the 25th October, 1949, in English and French, both texts being equally authoritative.

(L.S.) ERNEST BEVIN.

(L.S.) R. MASSIGLI.

SECOND SCHEDULE

AGREEMENT ON SOCIAL SECURITY BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM AND THE FRENCH GOVERNMENT

Paris, 11th June, 1948

The Government of the United Kingdom of Great Britain and Northern Ireland

and the Government of the French Republic,

desirous of guaranteeing the benefits of the laws on social security in force in Great Britain and France to the persons to whom those laws apply or have been applied, have agreed upon the following provisions:—

PART I—GENERAL PRINCIPLES

ARTICLE 1

1. British subjects or French nationals shall be subject respectively to the social security legislation, as set out in Article 2 of the present Agreement, in force in Great Britain or France, and they shall enjoy the benefits thereof under the same conditions as nationals of each country respectively.

2. British subjects or French nationals who, having been registered under the British compulsory insurance scheme, leave Great Britain to proceed to France, and who, in the latter country, do not satisfy the conditions required for them to become subject to compulsory insurance, may claim the benefit of voluntary old-age insurance under the same conditions, and after the same waiting-period, as employed persons who cease to belong to the French compulsory insurance scheme.

ARTICLE 2

1. The legislative measures respecting social security covered by the present Agreement shall be:

(1) *In Great Britain:*

(*a*) the legislation relating to the system of national insurance and concerning insurance against sickness, old age and death (including widowhood, orphanhood and death grant) and payments in respect of the confinement of women;

(*b*) the legislation relating to the system of national insurance and concerning insurance against personal injury by accident, and against prescribed diseases and injuries, due to employment.

(2) *In France:*

(*a*) the general legislation governing the social insurance system applicable to insured persons in non-agricultural employment, and concerning insurance against sickness, invalidity, old age and death, and the covering of maternity expenses;

(*b*) the social insurance legislation applicable to employed persons and persons treated as employed persons, in agricultural employment and concerning the covering of the same risks and charges;

(*c*) the legislative measures concerning the prevention of, and compensation for, industrial accidents and occupational diseases;

(*d*) special social security schemes, in so far as they deal with the risks or benefits covered by the legislative measures referred to in the foregoing paragraphs, and, in particular, the system of social security in the mining industry.

2. The present Agreement shall also apply to any laws or regulations which have amended or supplemented, or which may in future amend or supplement, the laws referred to in the first paragraph of the present Article.

Nevertheless the present Agreement shall not apply:

(*a*) to laws or regulations covering a new branch of social security unless an arrangement to that effect be agreed upon between the contracting Governments;

(*b*) to laws or regulations extending existing schemes to new classes of beneficiaries, if the other contracting Government lodges an objection with the Government concerned within a period of three months after the official publication of the said laws or regulations.

ARTICLE 3

1. Employed persons, or persons treated as employed persons under the laws applicable in both countries, who are employed in either country, shall be subject to the laws in force at their place of employment.

2. The following exceptions shall be made to the principle laid down in paragraph 1 of the present Article:—

(*a*) employed persons, or persons treated as employed persons, who are employed in a country other than that of their normal residence by an undertaking having in this latter country an establishment to which the persons concerned normally belong, shall remain subject to the legislation in force in the country in which they are normally employed, provided that the duration of their employment within the territory of the second country is not expected to exceed six months;

(*b*) persons connected with transport undertakings in either country who are employed in the mobile sections (travelling personnel) of these undertakings shall be subject exclusively to the provisions in force in the country in which the undertaking has it head office.

3. The competent authorities of the contracting Governments may provide, by mutual agreement, for exceptions to the rules laid down in paragraphs 1 and 2 of the present Article. They may also agree that the exceptions provided for in paragraph 2 shall not be applied in certain particular cases.

ARTICLE 4

1. The provisions of paragraph 1 of Article 3 shall be applicable to employed persons or persons treated as employed persons whatever their nationality, who are employed in the diplomatic or consular offices of France or the United Kingdom or who are in the personal employ of officers of the diplomatic or consular service of those countries.

Nevertheless the present Article shall not apply to diplomatic and consular officers *de carrière*.

2. The provisions of sub-paragraph (*a*) of paragraph 2 of Article 3 may, by agreement between the Governments of the contracting countries, be applied to persons in the diplomatic or consular service of France or the United Kingdom who are of the nationality of the country employing them and who are posted temporarily in the other country, even if they are expected to remain in that country for more than six months.

The provisions of this paragraph shall also apply to civil servants of the one country employed in the other country other than diplomatic or consular officers *de carrière*.

PART II—SPECIAL PROVISIONS

SECTION 1—INSURANCE AGAINST SICKNESS, MATERNITY, DEATH

ARTICLE 5

French nationals or British subjects registered under the compulsory insurance scheme in France or Great Britain who change their place of residence from one country to the other and who, in the latter country, become subject to compulsory insurance from the time of their arrival, shall, together with the legally entitled members of their household, enter into benefit in respect of the sickness, maternity and death insurance schemes of that country as soon as they fulfil the conditions required for eligibility for benefit under the legislation of that country, or prove that they have satisfied the requirements of the legislation of the country they have left, account being taken of the insurance periods completed consecutively in the two countries.

Furthermore, as regards sickness insurance, the illness must have become apparent after the insured person became subject to compulsory insurance in the new country of residence.

SECTION 2—FRENCH INVALIDITY INSURANCE AND LONG-TERM SICKNESS BENEFIT UNDER THE BRITISH INSURANCE SCHEME

A—*Establishment of the Right to Benefit and its award and payment*

ARTICLE 6

1. For French nationals or British subjects who, in the two countries, have been insured for different periods under one or more insurance schemes, the insurance periods completed under these schemes or the periods recognised as equivalent to insurance periods by virtue of the said schemes, shall, provided that they do not overlap, be aggregated for the purposes both of the determination of the right to benefit and of the maintenance or recovery of this right.

2. Cash benefits under the French invalidity insurance system and long-term sickness benefit under the British insurance system shall be paid in accordance with the law applicable to the person concerned at the time of the first medical declaration of sickness or accident for purposes of the French legislation and the first medical declaration of incapacity for work for the purposes of the British legislation and the costs shall be borne by the social security authority competent under the terms of that law.

ARTICLE 7

If, after suspension or discontinuance of the invalidity pension, or of long-term sickness benefit under the British insurance scheme, the insured person again becomes entitled to benefit within a maximum period of one year, the payment of benefit shall be resumed by the authority responsible for the benefit originally granted, if the state of invalidity or chronic sickness is attributable to the disease or disablement in respect of which such benefit was previously granted.

B—*Maintenance of Acquired Rights*

ARTICLE 8

Persons changing their place of residence from one country to the other who are either in receipt of an invalidity pension acquired by virtue of the French law, or in receipt of long-term sickness benefit under the British insurance scheme in respect of a disease or disablement which has been declared to be chronic prior to their departure for France, shall retain the same right to such benefit while they reside in either of the countries, as they would have had if they had not changed their place of residence.

ARTICLE 9

The competent authorities of the contracting Governments shall regulate, by mutual agreement, the details of medical and administrative control of persons in receipt of invalidity pensions or of long-term sickness benefit under the British insurance scheme.

ARTICLE 10

Invalidity pensions or long-term sickness benefit under the British insurance scheme shall be converted where necessary into old-age pensions, under the conditions laid down by the law by virtue of which they were granted. Effect shall be given, where necessary, to the provisions of Article 12 below.

SECTION 3—OLD-AGE INSURANCE

A—*Establishment of the Right to and Payment of Benefit*

ARTICLE 11

1. For French nationals and British subjects who, in the two contracting countries, have been insured for different periods under one or more old-age insurance schemes, the insurance periods completed under those schemes or the periods recognised as equivalent to insurance periods by virtue of the said schemes shall, provided that they do not overlap, be aggregated for the purposes both of the determination of the right to benefit and of the maintenance or recovery of that right.

2. The amount of benefit to which an insured person may become entitled from the competent authorities of either country shall be determined, by reducing the amount of the benefit to which he would have been so entitled if the total number of periods referred to in paragraph 1 above had been completed under the appropriate scheme, the reduction being effected on a *pro rata* basis having regard to the periods actually completed under that scheme.

3. The rules laid down in the foregoing paragraphs shall be applicable to the grant of widows' pensions.

The proportion of the pension borne by the social security authorities of each country shall be paid to widows residing in the other country only when they reach the age of 65 years, unless they are incapable of working.

4. This Article shall have effect subject to the provisions of Article 30.

ARTICLE 12

When an insured person, account being taken of the total number of periods referred to in paragraph 1 of Article 11, does not simultaneously satisfy the conditions required by the laws of the two countries, his right to a pension in respect of either scheme shall, subject to paragraph 3 of that Article, be established as soon as he has satisfied those conditions.

ARTICLE 13

1. Every insured person may, at the time when his right to a pension becomes established, renounce the benefit of the provisions of Article 11 of the present Agreement. The benefits to which he may be entitled by virtue of the laws of each country shall then be paid separately by the competent authorities, independently of the insurance periods, or their recognised equivalents, completed in the other country.

2. The insured person shall be entitled to make a fresh choice between the provisions of Article 11 and those of the present Article when it becomes in his interest to do so either as the result of an amendment to one of the national legislations or of the transfer of his place of residence from one country to the other, or, in the case referred to in Article 12, at the time when he establishes a new pension right under one of the legislations applicable to him.

B—*Maintenance of Rights Acquired*

ARTICLE 14

Persons who are entitled to an old-age or retirement pension acquired in France or in Great Britain shall receive such pensions at the appropriate rate so long as they reside in one of those countries.

For this purpose, the laws in force in Great Britain respecting retirement from regular employment and the earning of the beneficiary and his wife shall be applied in France by the French authorities under conditions to be laid down in one of the supplementary agreements provided for in Article 28 below.

SECTION 4—INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

ARTICLE 15

Nationals of either country shall not be subject to the provisions incorporated in legislation concerning industrial accidents and occupational diseases which restrict the rights of foreigners, or which impose loss of rights, by reason only of their place of residence being in either country.

ARTICLE 16

Increased rates or supplementary allowances granted in addition to industrial accident pensions, under the legislation in force in each of the two countries, shall be paid to the persons to whom Article 15 above applies who change their place of residence from one country to the other.

SECTION 5—PROVISIONS COMMON TO INVALIDITY, LONG-TERM SICKNESS, OLD AGE AND INDUSTRIAL ACCIDENT INSURANCE, PAYMENT OF BENEFITS

ARTICLE 17

Pensions in respect of invalidity, old age and industrial accidents acquired under French laws by an employed person, or person treated as an employed person, who transfers his residence to Great Britain, shall be paid in Great Britain by the British social security organisation for the account of the French insurance funds.

Long-term sickness benefit in respect of British insurance the right to which is acquired in France under the conditions laid down in Article 8, retirement pensions and pensions for industrial accidents which have been finally assessed, and the right to which is acquired in Great Britain under the law then in force, shall be paid, in France, by the French funds for the account of the British social security organisation.

ARTICLE 18

The expenses incurred by the French and British authorities under Article 17 shall be repaid through the agency, in France, of the National Social Security Fund, acting on behalf of all French social security authorities; and in Great Britain, out of the National Insurance Fund or the Industrial Injuries Fund, as the case may be.

PART III—GENERAL AND MISCELLANEOUS PROVISIONS

SECTION 1—ADMINISTRATIVE CO-OPERATION

ARTICLE 19

The competent authorities of the two contracting Governments and the social security authorities shall furnish mutual assistance in the same degree as if the matter in question were one affecting the application of their own social security schemes.

ARTICLE 20

1. The privilege of exemption from liability to pay legal dues in respect of registration, stamp charges and consular fees provided by the laws of either country in respect of documents to be produced before the administrative authorities or social security authorities of the one country shall be extended to the corresponding documents to be produced, for the purposes of the application of the present Agreement, before the administrative authorities or social security authorities of the other country.

2. The requirement of legalisation by the diplomatic and consular authorities shall be waived in respect of all certificates, documents and papers to be produced for the purposes of the operation of the present Agreement.

ARTICLE 21

All communications relating to the application of the present Agreement, sent by beneficiaries under the Agreement to the Social Security Authorities and other administrative or judicial authorities having powers in relation to social security in either country, shall be drawn up in the official language of the one or the other of the two countries.

ARTICLE 22

Appeals that are required to be lodged within a prescribed period with an authority competent to accept appeals relating to social security in one or other of the two countries shall be deemed admissible if they are lodged within the same period, with a corresponding authority in the other country. In such cases, the latter authority shall transmit the appeals without delay to the competent authority.

ARTICLE 23

1. The competent authorities of the contracting Governments shall determine between themselves the detailed measures for the implementation of the present Agreement, or of the supplementary Agreements provided for in the Agreement, in so far as those measures call for joint action by those authorities.

The same authorities shall communicate to each other in due course information about the details of changes that have taken place in the laws or regulations in their respective countries concerning the schemes enumerated in Article 2.

2. The social security authorities in each country shall communicate to each other information about the other arrangements made, within their respective countries, for the implementation of the present Agreement.

ARTICLE 24

The Ministers having among their functions the administration of the schemes enumerated in Article 2 shall be deemed, in each of the contracting countries, to be the competent authorities, within the meaning of the present Agreement, to the extent to which those schemes fall within their competence.

SECTION 2—MISCELLANEOUS PROVISIONS

ARTICLE 25

The authorities responsible, by virtue of the present Agreement, for the administration of social security benefits, shall be held to discharge their responsibility validly by payments in the currency of their country.

In the event of the issue of regulations, in one or other of the two countries, with a view to imposing restrictions upon the free exchange of currency, measures are to be taken forthwith, by agreement between the two Governments, to ensure, in accordance with the provisions of the present Agreement, the reciprocal transfer of sums due.

ARTICLE 26

Nothing in this Agreement shall be held to invalidate in any way the rules laid down in the schemes referred to in Article 2 respecting the conditions under which insured persons may take part in the elections in connection with the functioning of the social security system.

ARTICLE 27

The formalities that may be laid down by the legal provisions or regulations of one or other of the contracting Governments in respect of the payment, outside the limits of their territory, of the benefits distributed by its social security authority shall also apply, under the same conditions as those applicable to nationals, to persons entitled to receive such benefits by virtue of the present Agreement.

ARTICLE 28

The provisions necessary for the application of the present Agreement as regards the several branches of social security included in the schemes referred to in Article 2 will form the subject matter of one or more supplementary agreements. Any such agreement may be made applicable to the whole of France or Great Britain, as the case may be, or to such parts thereof as may be prescribed by the terms of the Agreement.

ARTICLE 29

1. All difficulties relating to the carrying out of the present Agreement shall be resolved by agreement between the competent authorities of the contracting Governments.

2. In cases where it may have been impossible to arrive at a solution by this means, the disagreement is to be submitted to arbitration, in accordance with a procedure to be arranged between the two contracting Governments. The arbitral body shall settle the dispute according to the fundamental principles and in the spirit of the present Agreement.

ARTICLE 30

1. The present Agreement shall be ratified, and the instruments of ratification shall be exchanged in London, as soon as possible.

2. It shall come into force on a date to be agreed between the competent authorities.

3. The date on which the supplementary agreements, referred to in Article 28 (including provision for giving effect to any rights acquired before the date of the operation of the present Agreement by nationals of one of the two countries to benefits under the scheme in force in the other country) become applicable will be fixed in the said Agreements.

4. British subjects or French nationals insured for British old-age pensions whose title to pension matured before 5th July, 1948, and who left Great Britain before that date and transferred their place of residence to France shall retain their pension rights subject to the following conditions:—

(*a*) where a pension was being paid in Great Britain, subject to satisfactory evidence of identification;

(*b*) where a person was paying contributions in Great Britain after 1st July, 1940, and title to pension would have matured between that date and 5th July, 1948, if he had remained in Great Britain.

The rate of such pension shall be the rate applicable in Great Britain at the time when the pension was last paid or would have been paid had the pensioner remained in Great Britain until he attained pensionable age.

5. French nationals or British subjects insured under the British insurance scheme who left Great Britain before 5th July, 1948, and attain pension age after that date shall only be eligible to have their contributions in Great Britain taken into account if on moving to France they became insured and continued to be insured until 5th July, 1948, under the relevant French Social Security legislation. In that case contribution periods shall be taken into account for the purpose of eligibility for pension under the present Agreement in so far as such periods have occurred after 1st July, 1940.

6. The rights of British subjects who, prior to the coming into force of this Agreement, have had awarded to them an old-age pension or allowance under the decrees of 28th and 30th October, 1935, as amended, may be reviewed upon the application of the persons concerned.

The review shall ensure that the same rights are granted to the beneficiaries as if the present Agreement had been in operation at the time of the award or the pension allowance.

ARTICLE 31

1. The present Agreement is concluded for the duration of one year from the date of its coming into force in accordance with the provisions of Article 30. It will continue in force from year to year unless notice of termination is given three months before the expiration of the period.

2. In the event of such termination the provisions of the present Agreement and of the supplementary agreements referred to in Article 28 shall remain applicable to acquired rights, notwithstanding any restrictive provisions that the schemes concerned may have laid down for cases of residence in a foreign country on the part of insured persons.

3. Any rights that are in process of acquisition in respect of insurance periods completed prior to the date on which the present Agreement ceases to have effect shall be determined in conformity with conditions to be laid down by supplementary agreements.

In witness whereof the respective plenipotentiaries, duly authorised by their respective Governments, have signed the present Agreement and affixed their seals thereto.

Done in duplicate at Paris, the 11th day of June, 1948, in English and French, both texts being equally authoritative.

(L.S.) JAMES GRIFFITHS.
(L.S.) OLIVER HARVEY.
(L.S.) DANIEL MAYER.
(L.S.) RAYMOND BOUSQUET.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order gives effect in England, Wales and Scotland to the supplementary reciprocal agreement on social security (set out in the First Schedule) made between the Governments of the United Kingdom and France, and modifies the National Insurance Acts, 1946 to 1949, in their application to persons affected by that agreement.