

SECOND SCHEDULE

Final Protocol to the Convention on Unemployment Insurance between the United Kingdom of Great Britain and Northern Ireland and the Federal Republic of Germany

At the time of signing the Convention on Unemployment Insurance concluded this day between the United Kingdom of Great Britain and Northern Ireland and the Federal Republic of Germany, the undersigned have agreed as follows: —

Article 1

(1) The said Convention shall apply to Land Berlin, unless the Government of the Federal Republic notifies the Government of the United Kingdom to the contrary within three months after the entry into force of the Convention.

(2) For the purpose of applying the Convention, any reference in it to the territory of the Federal Republic shall be deemed to include a reference to the territory of Land Berlin, and any reference in it to the legislation of the Federal Republic shall be deemed to include a reference to the legislation of Land Berlin.

Article 2

The provisions of the said Convention shall apply also, in relation to the United Kingdom, to the National Assistance Act, 1948, and the National Assistance Act (Northern Ireland), 1948, and, in relation to the Federal Republic, to German legislation concerning unemployment assistance, subject to such modifications as the different nature of the benefits provided under the said legislation may require.

Article 3

Where a national of one Contracting Party, who has been employed in the territory of the other Party with the permission of the relevant authorities, claims benefit under the legislation of the latter Party in accordance with Article 2 of the said Convention and Article 2 of this Protocol, payment of such benefit shall not be refused on the sole ground that his freedom to re-enter employment in that territory is conditional on his being granted permission by the said authorities.

Article 4

Any period during which a person has received assistance in accordance with the provisions of Article 2 of this Protocol shall not be regarded as a period during which he has been in receipt of assistance from public monies for the purpose of the application of Article 14 of the European Convention on Social and Medical Assistance signed in Paris on the 11th December, 1953 ^{M1}.

Marginal Citations

M1 “Treaty Series No. 42 (1955)” Cmd. 9512.

Changes to legislation: There are currently no known outstanding effects for the The National Insurance (Germany) Order 1961, SECOND SCHEDULE. (See end of Document for details)

Marginal Citations

M1 “Treaty Series No. 42 (1955)” Cmd. 9512.

Article 5

The two Contracting Parties undertake to apply their regulations concerning the employment of aliens in accordance with the spirit of the said Convention on Unemployment Insurance.

Article 6

For the purpose of applying the said Convention, refugees within the meaning of Article 1 of the Convention relating to the Status of Refugees of the 28th July, 1951 ^{M2} who are lawfully resident in the territory of one (or the other) Contracting Party, shall be treated as if they were nationals of that Party.

Marginal Citations

M2 “Treaty Series No. 39 (1954)”, Cmd. 9171.

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Article 7

The present Protocol shall enter into force on the day on which the said Convention enters into force and shall remain in force for the same period as the Convention, of which it shall form an integral part,

In witness whereof the undersigned Plenipotentiaries have signed the present Protocol.

Done in duplicate at Bonn this twentieth day of April, 1960, in the English and German languages, both texts being equally authoritative.

For the United Kingdom of Great Britain and Northern Ireland:

Christopher Steel

John Boyd-Carpenter

Changes to legislation: There are currently no known outstanding effects for the The National Insurance (Germany) Order 1961, SECOND SCHEDULE. (See end of Document for details)

For the Federal Republic of Germany:

V. Brentano

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Christopher Steel
John Boyd-Carpenter
V. Brentano
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For the United Kingdom of Great Britain and
Northern Ireland For the Federal Republic of
Germany

Changes to legislation:

There are currently no known outstanding effects for the The National Insurance (Germany) Order 1961, SECOND SCHEDULE.