

No. 29540

**FEDERAL REPUBLIC OF GERMANY
and
POLAND**

**Agreement concerning the detachment of workers from
Polish enterprises for the execution of work contracts.
Signed at Bonn on 31 January 1990**

Authentic texts: German and Polish.

Registered by Germany on 28 January 1993.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
POLOGNE**

**Convention relative au détachement des travailleurs d'entre-
prises polonaises pour l'exécution de contrats d'entre-
prises. Signé à Bonn le 31 janvier 1990**

Textes authentiques : allemand et polonais.

Enregistré par l'Allemagne le 28 janvier 1993.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
REPUBLIC OF POLAND CONCERNING THE DETACHMENT
OF WORKERS FROM POLISH ENTERPRISES FOR THE EXE-
CUTION OF WORK CONTRACTS

The Government of the Federal Republic of Germany and the Government of the Republic of Poland

Have agreed as follows:

Article 1

1. Work permits shall be issued to Polish workers who are detached for temporary employment on a work contract between a Polish employer and an enterprise of the other side (contractual workers) regardless of the situation and trends of the labour market.

2. The work permits referred to in paragraph 1 shall be issued to workers of Polish enterprises which are entered in the Polish trade register.

Article 2

1. The number of contractual workers shall be limited to 11,000, of whom up to 5,000 may be employed in the building trade, up to 500 as insulation fitters and up to 250 as restorers. The figures quoted shall be understood as annual averages.

2. The numbers specified in paragraph 1 shall be adjusted as follows in line with developments in the labour market:

Should the situation of the labour market improve, the maximum numbers specified at the time of entry into force of the Agreement shall be increased by 5 per cent for each full percentage-point decrease in the unemployment rate in the preceding 12 months. Should the situation of the labour market deteriorate, the numbers shall be correspondingly reduced. For the purposes of such adjustment, a comparison shall be made between the unemployment rates — broken down into overall rates and sectoral rates — as at 30 June of the current year and the preceding year. Allowance shall be made for the changes as from 1 October of the current year. The new numbers shall be rounded in such a way as to be evenly divisible by ten.

3. The Federal Minister for Labour and Social Affairs of the Federal Republic of Germany shall notify the Minister for Labour and Social Policy of the Republic of Poland of the numbers calculated in accordance with paragraph 2 by 31 August of each year.

¹ Came into force provisionally on 31 January 1990 by signature, and definitively on 11 April 1990, i.e., the date of receipt of the last of the notifications (of 4 and 5 April 1990) by which the Parties informed each other of the completion of the required procedures, in accordance with articles 11 and 12 (1).