



European Convention on Social and Medical Assistance

Paris, 11.XII.1953

Annex II – Reservations formulated by the Contracting Parties

Updated on 19 December 2011 (Germany) – this page is updated following each communication

Belgium

The Belgian Government reserves the right not to grant to nationals of Contracting Parties the benefit of the legislation concerning the minimum level of means of subsistence.

Germany

The Government of the Federal Republic of Germany does not undertake to grant to the nationals of the other Contracting Parties, equally and under the same conditions as to its own nationals, assistance designed to enable the beneficiary to make a living, or assistance to overcome particular social difficulties, under the Federal Social Assistance Act for the time being in force. Notwithstanding the above, such assistance may be granted in appropriate cases.

The Government of the Federal Republic of Germany does not undertake to grant to nationals of the other Contracting Parties, equally and under the same conditions as to its own nationals, the benefits provided for in Book Two of the Social Code – Basic Income Support for Jobseekers – in the latest applicable version.

The Government of the Federal Republic of Germany does not undertake to grant to nationals of the other Contracting Parties, equally and under the same conditions as to its own nationals, assistance to overcome particular social difficulties as provided in Book Twelve of the Social Code – Social Assistance – in the latest applicable version; such assistance may however be granted in appropriate cases.

Luxembourg

- a. Without prejudice to the provisions of Article 18, the Luxembourg Government reserves the right to apply the Convention as far as it concerns Article 7 only under the condition that the person concerned has been a resident for at least ten years.
- b. The Government of Luxembourg makes a general *de jure* reservation in respect of the extension of the benefits of the law of 30 July 1960 concerning the setting-up of a National Solidarity Fund to foreign nationals.

Nevertheless, paragraph 3 of Article 2 of the said law determines the cases in which it also applies to stateless persons and foreigners and it is to the extent thus laid down in the law itself that the Government of Luxembourg intends to apply it *de facto*.

Norway

Norway and the Federal Republic of Germany decided by exchange of Notes (2 to 6 September 1965) not to make use of Articles 7 and 14 in the European Convention of 11 December 1953 on social and medical assistance.

United Kingdom of Great Britain and Northern Ireland

Her Majesty's Government reserve the right to free themselves from their obligation under Article 1 in respect of any person who may be repatriated by virtue of the provisions of Article 7 but who fails to take advantage of the facilities offered for his repatriation (including free transport to the frontier of his country of origin).