

**AGREEMENT
ON COOPERATION AND EXCHANGE OF INFORMATION
BETWEEN
THE NATIONAL LABOUR INSPECTORATE
OF THE REPUBLIC OF POLAND
AND THE
LABOUR AND MINING INSPECTORATE
OF THE GRAND DUCHY OF LUXEMBOURG**

The National Labour Inspectorate of the Republic of Poland and the Labour and Mining Inspectorate ("ITM") of the Grand Duchy of Luxembourg, hereinafter referred to as Parties, having regard to the need to ensure effective protection of employment, safe and healthy working conditions of workers posted to work in the territories of Parties and to eliminate hazards causing accidents at work and occupational diseases, implementing the Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, resolve to conclude the following Cooperation Agreement.

Paragraph 1

1. The Parties commit themselves to exchanging information concerning workers posted to work in their territories in the scope of:
 - a) working conditions, i.e.:
 - maximum work periods and minimum rest periods;
 - minimum paid annual holidays;
 - the minimum rates of pay, including overtime rates; this point does not apply to supplementary occupational retirement pension schemes;
 - the conditions of hiring-out of workers, in particular the supply of workers by temporary employment undertakings;
 - health, safety and hygiene at work, in particular work-related accidents and occupational diseases of posted workers;
 - protective measures with regard to the terms and conditions of employment of pregnant women or women who have recently given birth, of children and of young people;

- equality of treatment between men and women and other provisions on non-discrimination.
 - b) irregularities concerning employment detected in the course of inspections;
 - c) identified infringements of employees rights.
2. The Parties commit themselves to exchanging information on the legal form and scope of activity of employers posting workers to work in the territory of either of the countries being a Party to this Agreement.
 3. The Parties shall coordinate their proceedings in case of accidents at work of posted workers.

Paragraph 2

1. The Parties commit themselves to providing information requested by the other Party by the deadline of no more than 4 weeks.
2. If meeting the deadline referred to in point a) above proves impracticable, the Party obliged to provide information shall inform the other Party of this fact and shall indicate the causes of delay.
3. If the Party is not competent to provide information requested by the other Party, it shall indicate the reasons of not being able to provide it and shall inform the requesting Party of the competent authority, by providing of full address information. Furthermore, the requesting Party will be assisted as much as possible by the seized Party in its research efforts.

Paragraph 3

1. For the exchange of information the Parties may use a form developed by group of national experts on implementation of Directive 96/71/EC of the European Parliament and of the Council concerning the posting of workers in the framework of the provision of services.
2. Information shall be forwarded to the addresses indicated by the Parties.

Paragraph 4

The exchanged information and documents shall be subject to national systems of personal data protection in accordance with national and community legislation (particularly Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data) as well as other international legislation.

Paragraph 5

1. When necessary , but principally once a year, the Parties to the Agreement shall meet to discuss implement and evaluate this Agreement. The meetings shall take place in the Grand Duchy of Luxembourg and in the Republic of Poland on a reciprocal basis Optionnally, with the previous agreement of the Belgian authorities, a trilateral follow-up formula of the different cooperation agreements between Poland, Belgium and Luxembourg is possible and can take place in one of the three partner capitals.
2. The hosting Party shall be responsible for organizing the meeting. Notification of the date of the meeting and its proposed agenda should take place at least one month prior to the established date of the meeting.
3. The cost of travel and accommodation related to participation in the meeting shall be incurred by the Parties in their respective scope. The Parties shall mutually decide on the conditions of covering other expenses in relation to the organisation of the meeting and subsistence costs (meals, transfers, domestic travels, oral and written translations and others), separately for the given event or meeting.

Paragraph 6

1. This Cooperation Agreement may be amended or terminated by mutual written consent of the Parties on a date specified by them.

2. This Cooperation Agreement may also be terminated by any of the Parties with a three-month notice period. The notice period starts on the day following the day of receipt of a written statement concerning the termination of the Cooperation Agreement.

Paragraph 7

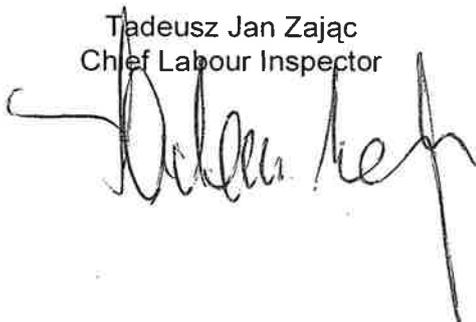
1. This Agreement was drawn up in two identical copies in the following languages: Polish, French and English with all the texts being genuinely identical. In case of any discrepancies the English text shall be considered as prevailing.
2. The Agreement shall enter into force on the date of its signing.

Luxembourg, the 29th of June, 2010.

THE NATIONAL LABOUR
INSPECTORATE OF
THE REPUBLIC OF POLAND

INSPECTION OF LABOUR AND
MINES OF
THE GRAND DUCHY OF
LUXEMBOURG

Tadeusz Jan Zając
Chief Labour Inspector



Paul Weber
Director of Labour and Mining Inspectorate