

**Article 5
Expenses**

1. Expenses related to international transportation and accommodation which arise from the implementation of the Agreement shall be covered by the sending Party.
2. Each of the Parties shall cover its own expenses related to implementation of this Agreement within the available financial resources.
3. The Parties shall jointly decide on the terms of covering other expenses related to organization of events in the framework of implementation of this Agreement.
4. Co-operation activities of the Parties may also be carried out on the basis of subsidies obtained from external funds (e.g. from Norway Grants), under the rules proper to the abovementioned funds.

**Article 6
Amendment, dissolution and termination of the Agreement**

1. The Agreement is concluded for an indefinite period of time.
2. Any amendments to the Agreement shall be made in writing.
3. The Agreement may be terminated by each of the Parties. The Agreement shall expire upon receipt of a statement on the termination by the other Party.

**Article 7
Final provisions**

1. This Agreement was drawn up in two identical copies, one for each Party, in the following languages: Polish, Norwegian and English. 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.

ON BEHALF OF
THE NATIONAL LABOUR INSPECTORATE
IN THE REPUBLIC OF POLAND



Dariusz Mińkowski
Deputy Chief Labour Inspector

ON BEHALF OF
THE LABOUR INSPECTION AUTHORITY
IN THE KINGDOM OF NORWAY



Trude Vollheim
Director

AGREEMENT

ON BILATERAL COOPERATION AND EXCHANGE OF INFORMATION CONCLUDED IN WROCLAW, ON SEPTEMBER 28TH 2017

between

THE NATIONAL LABOUR INSPECTORATE IN THE REPUBLIC OF POLAND

and

THE LABOUR INSPECTION AUTHORITY IN THE KINGDOM OF NORWAY

Bearing in mind the increased mobility of persons for work purposes in the territory of the European Union and the European Economic Area and recognizing the increasing role of periodic work migration and processes consisting in posting of workers for economic development of both countries;

Having regard to development of the single service market in the territory of the Kingdom of the Norway and the Republic of Poland in line with rules of decent competition between companies and with respect to workers' rights;

Noting the necessity of commencement of joint actions aimed at increasing the protection efficiency of rights of posted and migrant workers in the territories of both countries and enforcing compliance with provisions on safe and healthy working conditions in environment that is free from risks of occupational accidents and occupational diseases;

Recognizing mutual competencies set out in national legislation and obligations resulting from EU legislation, particularly Regulations of the European Parliament and of the Council (EC) and EU Directives applicable to the European Economic Area, having regard for organisational differences between labour markets of both countries and the role of social partners in ensuring lawfulness in employment relationships;

The Labour Inspection Authority in the Kingdom of Norway and the National Labour Inspectorate in the Republic of Poland, hereinafter referred to as the 'Parties' have decided to conclude the following Agreement on bilateral cooperation and exchange of information, hereinafter referred to as the 'Agreement'.

**Article 1
Scope of cooperation**

1. The scope of cooperation and exchange of information under this Agreement covers issues relating to posting of workers in the framework of the provision of services in line with Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 on posting of workers in the framework of the provision of services, hereinafter referred to as 'Directive 96/71/EC' and in line with Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative

cooperation through the Internal Market Information System (IMI regulation), hereinafter referred to as 'Directive 2014/67/EU' and legislation transposing their provisions into the national legislation, compliance with provisions on work and employment conditions of workers posted to the territory of countries of the Parties as well as cases of illegal practices aimed at circumventing the provisions of Directive 96/71/EC and Directive 2014/67/EU and resulting in violation of workers' rights.

2. In addition, the Agreement regulates the cooperation and exchange of information on work performed in the territory of the countries of the Parties on the basis of contracts concluded directly with Norwegian or Polish employers as well as in result of sending workers to work in the territory of the countries of the Parties with the agency of employment agencies providing placement services for foreign employers.

Article 2

Forms of cooperation

The Parties shall, within their competence as provided for in national legislation, cooperate and provide each other with mutual assistance necessary to ensure coherence to the national rules on remuneration and working conditions, including occupational safety and health, particularly by:

- a) carrying out inspections focused on compliance with the provisions of Directive 96/71/EC and Directive 2014/67/EU in the territory of the countries of the Parties and in case such need arises, on request of a Party, joint inspections in cases related to cross-border employment,
- b) commencement of actions, within the Parties' competence, in cases related to persons performing paid work in the territory of the country of the Party, particularly as a result of complaints lodged and other signals concerning work-related irregularities and - in case the Party has no competence to act - informing of a competent authority,
- c) develop information measures aimed at posted workers, migrant workers in the territory of countries of the Parties, as well as employers and other stakeholders, on the regulations on occupational health and safety and the terms and conditions of employment,
- d) exchange of information on companies and workers required for the inspections performed by the Parties,
- e) exchange of information on irregularities and possible infractions revealed in the course of inspections particularly as regards remuneration and working conditions, including occupational safety and health, where this information might be of use for the other Party,
- f) exchange of information on the progress of actions commenced by one Party on the request of the other Party, in any case where it is necessary,
- g) exchange of information on work-related accidents of citizens of the countries of the Parties which occurred in their territories and coordination of tasks in cases where it is necessary,
- h) exchange of information, or in other ways ensuring the other Party access to information on the relevant national legislation and amendments to this, including that on remuneration

i) exchange of available information on the structure, functions and competences of institutions authorized to inspect and supervise working conditions, their methodologies of work and inspection for better understanding of the rules and traditions of labour markets in the countries of both Parties,

j) when such need arises, organization of expert-level meetings aimed at discussing current issues covered by cooperation and participation in meetings, seminars and conferences and other events organized by the Parties, also by other bodies, national and foreign organizations, which are essential for further development of this cooperation,

k) implementation of common projects, also those co-financed from external resources, aimed at the development of the Parties' own structures or improvement of lawfulness in the countries of the Parties.

Article 3

Competent bodies and rules of information exchange

1. Cooperation shall be implemented with the agency of liaison institutions established in the Chief Labour Inspectorate with its seat in Warsaw and Directorate General of Labour Inspectorate with its seat in Trondheim.
2. Liaison offices act as focal points in the scope of receiving and forwarding any kind of information exchanged between the Parties that refers to matters covered by this Agreement.
3. Exchange of information in the scope of posted workers in the framework of provision of services in the territory of countries of the Parties shall be done with the use of appropriate modules of the European Internal Market Information System (IMI), enabling Member States to send information and documents in electronic form, in compliance with rules of cooperation between administrative institutions in such matters.
4. Exchange of information in matters other than specified in point 3 above may be done with the use of other tools of electronic communication and through traditional exchange of correspondence sent to the address of the liaison office, in compliance with the requirements of information security and data protection.

Article 4

Assessment of Agreement implementation

1. Each of the Parties shall draw up annual written information on activities carried out in the framework of this Agreement.
2. In any case when the Parties consider this advisable but at least once every two years, the Parties shall organize a bilateral meeting devoted to assessment of the implementation of the Agreement and to discuss directions of cooperation in the years to come.
3. Meetings mentioned in point 2 may also be devoted to discussing other matters such as programmes of joint actions focused on the prevention of illegal practices and infringements of labour law in matters covered by this Agreement.
4. Meetings mentioned in point 2 above shall be organized in the countries of the Parties on an alternate basis.