

No. 2146

NETHERLANDS
and
SWITZERLAND

Exchange of notes constituting an agreement concerning the
exchange of student employees. Berne, 20 November 1952

*D: until 31 Dec 1953, with provisions regarding renewal
(see article 6).*

Official text: French.

Registered by the Netherlands on 21 April 1953.

PAYS-BAS
et
SUISSE

Échange de notes constituant un accord concernant l'échange
de stagiaires. Berne, 20 novembre 1952

*D: jusqu'au 31 dec 1953, avec dispositions concernant la
prolongation (cf. article 10).*

Texte officiel français.

Enregistré par les Pays-Bas le 21 avril 1953.

[TRANSLATION — TRADUCTION]

No. 2146. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE NETHERLANDS AND SWITZERLAND CONCERNING THE EXCHANGE OF STUDENT EMPLOYEES. BERNE, 20 NOVEMBER 1952

I

CHIEF OF THE FEDERAL DEPARTMENT OF JUSTICE AND POLICE

Berne, 20 November 1952

Your Excellency,

With reference to the negotiations which have taken place between the Federal Department of Justice and Police and the Royal Netherlands Legation concerning an exchange of student employees between Switzerland and the Netherlands, I have the honour to inform you that the Federal Council is prepared to conclude an agreement as follows :

Article 1

1. The present arrangement shall apply to " student employees ", that is to say, to nationals of one of the two States who proceed to the other State for a limited period to perfect their linguistic or professional knowledge while holding employment therein.

2. Student employees may be of either sex. As a general rule, they shall not be over the age of 30 years.

Article 2

1. Student employees shall be authorized to hold employment on the conditions laid down by the present arrangement, irrespective of the state of the labour market in their particular occupation.

2. Students' permits shall be granted as a general rule for a period not exceeding one year. This period may be prolonged by six months in special cases.

Article 3

1. The number of student employees to be admitted into either of the two States shall not exceed 150 in any one year. Requests in excess of that number shall, however, be favourably considered should the state of the labour market permit.

¹ Came into force on 20 November 1952, by the exchange of the said notes.

2. This quota shall apply for each civil year. Students already resident in the territory of the other State on 1 January shall not be included in the quota of the current year. The number of 150 students a year may be reached irrespective of the period for which permits were granted in the course of the preceding year.

3. If the quota provided is not filled in the course of a year by the student employees of one of the two States, that State shall not be entitled to reduce the number of permits reserved for student employees of the other State, or to carry over to the following year the unused balance of its own quota.

4. The quota may subsequently be altered in pursuance of an agreement which shall be concluded on the proposal of one of the two States not later than 1 December for the following year.

Article 4

1. Student employees shall not be admitted unless the persons employing them give an undertaking to the competent authorities to remunerate them as soon as they perform normal services, in accordance with a scale fixed by collective labour contracts, at the normal current rate for the occupation and the district in question.

2. In other cases, the employers must undertake to grant them a remuneration corresponding to the value of their services and sufficient to cover the cost of their essential needs.

Article 5

1. Those wishing to benefit by the provisions of the present arrangement shall apply to the authority appointed in each State to receive applications for admission from student employees. They shall at the same time supply all the information necessary for the consideration of their applications and, in particular, state the name and address of their future employers, and the employment proposed.

2. It will be for the said authority to consider whether the application should be transmitted to the corresponding authority of the other State, bearing in mind the annual quota to which it is entitled.

3. The Federal Office for Industry, Arts and Crafts, and Labour at Berne shall receive applications for the admission of Swiss student employee candidates. The National Labour Office at The Hague shall do likewise for Netherlands candidates. The two authorities shall transmit directly those applications which they have accepted.

Article 6

The competent authorities of the two States shall assist the student employee candidates in their efforts to find employment. If necessary, candidates may apply in their own countries to the bodies specially appointed to assist them, namely, in Switzerland, the Commission for the Exchange of Student Employees with Foreign Countries, and in the Netherlands, the National Labour Office.

Article 7

The competent authorities shall do all in their power to ensure that applications are dealt with as speedily as possible. They shall also endeavour to overcome with the utmost dispatch any difficulties which may arise in connexion with the entry or sojourn of the student employees.

Article 8

In each of the two States, regulations in respect of social security applying to workers of the other State shall apply equally to student employees of that State.

Article 9

The competent authorities of the two States shall, by common agreement, take the measures necessary for the application of the present arrangement.

Article 10

1. The present arrangement shall remain in force until 31 December 1953; it shall thereafter be renewed by tacit agreement from year to year, unless it is denounced by one of the two Contracting Parties before 1 July with effect as from the end of the year.

2. Nevertheless, in case of denunciation, permits granted under the present arrangement shall remain valid for the period for which they were given.

Article 11

The present arrangement annuls the provisions of the Arrangement of 20 May 1936 relating to the admission of student employees to Switzerland and the Netherlands.

The present note and your affirmative reply shall constitute an agreement between the two Governments, which shall come into force on the date of your reply.

I have the honour to be, etc.

(Signed) FELDMANN

His Excellency Baron Adolph Bentinck
Netherlands Minister in Switzerland
Berne

II

NETHERLANDS LEGATION

No. 9221

Berne, 20 November 1952

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows :

[*See note I*]

In informing you of the agreement of the Government of Her Majesty the Queen to the foregoing, I have the honour to be, etc.

(*Signed*) A. BENTINCK

Markus Feldmann, Federal Counsellor
Chief of the Federal Department of Justice and Police
Berne
