

**No. 3481**

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**BELGIUM  
and  
AUSTRIA**

**Exchange of letters constituting a convention concerning  
the exchange of student employees between the two  
countries. Brussels, 20 January 1956**

*Official texts: French and German.*

*Registered by Belgium on 30 July 1956.*

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**BELGIQUE  
et  
AUTRICHE**

**Échange de lettres constituant une convention sur l'échange  
de stagiaires entre les deux pays. Bruxelles, 20 janvier  
1956**

*Textes officiels français et allemand.*

*Enregistré par la Belgique le 30 juillet 1956.*

[TRANSLATION — TRADUCTION]

No. 3481. EXCHANGE OF LETTERS CONSTITUTING A CONVENTION<sup>1</sup> BETWEEN BELGIUM AND AUSTRIA CONCERNING THE EXCHANGE OF STUDENT EMPLOYEES BETWEEN THE TWO COUNTRIES. BRUSSELS, 20 JANUARY 1956

I

AUSTRIAN EMBASSY  
BRUSSELS

Z1. 17.593-A/55

Brussels, 20 January 1956

Your Excellency,

I have the honour to inform you that the Government of the Republic of Austria, greatly desirous of increasing co-operation with Belgium in the social field and considering that it would be advantageous to encourage the exchange of student employees between the two countries for the purpose of perfecting their professional and linguistic knowledge, is prepared, subject to reciprocity, to conclude an Agreement on the following terms :

*Article 1*

(1) The present Agreement shall apply to student employees, that is to say, to nationals of one of the two countries who proceed to the other for the purpose of perfecting their professional and linguistic knowledge by entering into employment with an employer of that country.

(2) Student employees may be of either sex and may be employed in manual as well as intellectual work. They shall not, as a rule, be over the age of thirty years.

*Article 2*

(1) Student employees shall be authorized to hold employment under the conditions laid down in the following articles, subject to the legal and administrative provisions governing the employment of aliens in certain professions.

(2) In cases where foreign employees (workers) are required to obtain a permit before holding employment, the two countries undertake to grant such permit to student employees in accordance with the terms of this Agreement.

<sup>1</sup> Came into force on 1 March 1956, in accordance with article 12 (1). This Convention is not applicable to the Territories of Belgian Congo and Ruanda-Urundi.

*Article 3*

(1) The number of student employees who may be admitted into either of the two States by virtue of the present Agreement shall not exceed 100 in any one year.

(2) Student employees already resident in the territory of one of the two countries on 1 January shall not be included in the quota for the current year. Up to 100 student employees may be admitted each year irrespective of the duration of the permits which were granted during the preceding year.

(3) The quota may be changed subsequently on the proposal of one of the two Contracting Parties by an agreement to be concluded, not later than 1 December for the succeeding year.

(4) If one of the countries fails to make complete use of its agreed quota, that country shall not reduce the number of student employees from the other country. It shall also not be permissible to carry over the unused part of a quota to the following year.

*Article 4*

(1) Permits for student employment shall be granted as a general rule for a period not exceeding one year and in exceptional cases may be extended for six months.

(2) As a general rule, student employees shall be forbidden to remain in the territory of the country where they spent their period of student employment with the intention of accepting employment therein.

*Article 5*

A permit for student employment shall not be granted except on the condition that the student employee does not engage in any other paid activity or does not accept any employment other than that for which the permit has been granted.

*Article 6*

(1) Student employees shall not be admitted unless the employers who desire to employ them undertake to remunerate them, as soon as they perform normal services, in accordance with the scales fixed in collective agreements, where such agreements are in force, and where such agreements do not exist, either in accordance with other regulations in force or in accordance with the customary local rate for the occupation in question.

(2) In all other cases, employers shall undertake to remunerate student employees for their work according to the value of their services, and at least to an extent which will enable them to support themselves.

*Article 7*

(1) With respect to the application of laws, orders and customs governing safety in employment, industrial hygiene and working conditions, student employees shall enjoy the same rights as nationals of the country in which they are working.

(2) Student employees and their employers shall be required to observe the provisions of the social insurance legislation in force including unemployment insurance.

*Article 8*

(1) Persons desirous of benefiting by the present Agreement shall submit their applications for student employment to the authority in their country which is responsible for receiving such applications. At the same time, they must supply all the information which is required for the examination of their applications.

(2) It shall be the duty of the above-mentioned authority to examine whether, in view of the quota available for that year, an application should be transmitted to the corresponding authority of the other country.

(3) Applications from Belgian candidates for student employment in Austria shall be addressed to the Ministry of Labour and Social Insurance in Brussels, and applications from Austrian candidates for student employment in Belgium shall be addressed to the Federal Ministry of Social Affairs in Vienna. Applications which have been accepted by one authority shall be forwarded direct to the other.

(4) The competent authorities of the two countries shall do everything in their power to ensure that applications are dealt with as speedily as possible.

(5) The competent authority of each country shall inform the competent authority of the other country as soon as it has decided to accept an application which has been forwarded to it.

*Article 9*

(1) In order to achieve the purpose of the present Agreement and to assist, as much as possible, those persons who wish to obtain student employment but are unable to find an employer by their own means, the two countries bind themselves to take the necessary steps to procure suitable employment.

(2) For this purpose, persons desirous of obtaining student employment should apply to the competent authority of their country, which is responsible for forwarding applications to the corresponding authority of the country in which candidates wish to obtain student employment.

(3) No charge shall be made to student employees for any of the formalities connected with obtaining employment.

*Article 10*

The clauses of the present Agreement shall not relieve student employees of the obligation to observe the statutory provisions governing the entry of aliens into the country, their sojourn in the country, and their departure therefrom.

*Article 11*

All questions which may arise concerning the interpretation and application of the present Agreement shall be decided by direct negotiations.

*Article 12*

(1) The present Agreement shall enter into force at the beginning of the second month following the exchange of the relevant notes and shall remain in force until the end of 1956.

(2) The Agreement shall 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.

(3) Nevertheless, in case of denunciation, permits granted under the present Agreement shall remain valid for the period for which they were granted.

(4) The number of student employees who may be admitted to either country during the year in which the present Agreement shall enter into force shall be proportionate to the number of months remaining between the date of its entry into force and the end of that year.

I should be grateful if you would kindly inform me whether the Belgian Government will agree to conclude an Agreement on the above terms. If so, the present note and the reply which you will be so good as to send me will constitute an agreement between our two Governments.

I have the honour to be, etc.

The Ambassador :

FUCHS

His Excellency Mr. Paul Henri Spaak  
Minister of Foreign Affairs  
Brussels

## II

MINISTRY OF FOREIGN AFFAIRS AND FOREIGN TRADE

DIRECTORATE GENERAL C  
3rd SECTION - 5th BUREAU

No. 76600/Austria/6.

Brussels, 20 January 1956

Your Excellency,

I have the honour to acknowledge your letter of 20 January 1956, No. 17593 — A/55, in which you have kindly informed me of the conditions under which the Austrian Government is prepared, subject to reciprocity, to admit Belgian nationals who wish to obtain student employment in Austria for the purpose of perfecting their professional and linguistic knowledge.

The Belgian Government, likewise greatly desirous of increasing co-operation with Austria in the social field and considering that it would be advantageous to encourage the exchange of student employees between the two countries, has instructed me to inform you that it agrees to conclude an Agreement on the following terms :

[See letter I]

N° 3481

Your above-mentioned letter of 20 January 1956 and the note which I have the honour to transmit to you herewith shall serve to confirm the Agreement which our two Governments have concluded on this subject.

I have the honour to be, etc.

The Minister of Foreign Affairs :

P. H. SPAAK

His Excellency Mr. Martin Fuchs  
Austrian Ambassador  
at Brussels