

No. 4222

**NETHERLANDS
and
ITALY**

**Agreement relating to the exchange of student employees.
Signed at Rome, on 4 June 1954**

Official text: French.

Registered by the Netherlands on 19 March 1958.

**PAYS-BAS
et
ITALIE**

**Accord relatif à l'échange de stagiaires. Signé à Rome, le
4 juin 1954**

Texte officiel français.

Enregistré par les Pays-Bas le 19 mars 1958.

[TRANSLATION — TRADUCTION]

No. 4222. AGREEMENT¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE ITALIAN REPUBLIC RELATING TO THE EXCHANGE OF STUDENT EMPLOYEES. SIGNED AT ROME, ON 4 JUNE 1954

The Government of the Kingdom of the Netherlands and the Government of the Italian Republic;

Desiring to promote the occupational and linguistic training of Netherlands and Italian student employees have agreed together as follows :

Article 1

(a) The present Agreement applies to student employées, that is to say to nationals of one of the two States going to the territory of the other State in order to improve their occupational and linguistic knowledge by taking employment with an employer.

(b) Student employees may be of either sex and may be employed in manual or non-manual employment. In general they shall be not less than eighteen or more than thirty years of age.

Article 2

Subject to the provisions of the regulations concerning the issue of visas, student employees shall be authorized to hold employment under the conditions established by the articles below, irrespective of the employment situation in general or in the occupation concerned.

Article 3

The number of permits granted to student employees of each State under the present agreement shall not exceed fifty in any one year.

This limit shall be independent of the number of student employees already resident on the territory of either State by reason of a prolongation of their permit under the conditions laid down in article 4. It shall apply irrespective of the period for which permits were issued in the course of any one year or the period for which they have been in use.

If the quota is not filled in the course of a year by student employees of one of the two States, that State shall not be entitled to reduce the number of permits reserved to student employees of the other State, or carry forward to

¹ Came into force on 4 January 1954, as from the date of signature, in accordance with article 14.

the next year the unused balance of its own quota. The quota of fifty student employees shall apply for the year from 1 January to 31 December unless altered under a new agreement to be made at the proposal of one of the two States not later than 1 October for the following year.

Article 4

(a) The duration of student employment is limited to a period of one year. This period may be prolonged by not more than six months in exceptional cases.

(b) On the expiration of their period of student employment, student employees shall not remain on the territory of the country where they were employed, for the purpose of engaging in any further employment there.

Article 5

Permits granted for student employment may be subject to the condition that student employees shall not carry on any other activity for financial gain or take employment other than that for which the permit is granted.

Article 6

Employment permits for student employees shall be granted on the following basis :

- (a) Where the permit is for the performance of the work of an ordinary worker, the student employee shall be entitled to payment on the basis of the current normal wages for the occupation and in the locality where he is employed;
- (b) All other student employees shall receive from their employers a subsistence allowance in keeping with the value of their services.

Student employees may not be admitted to either of the two countries unless the competent authorities are satisfied, as the result of investigations which they have themselves undertaken, that the conditions agreed between the employers and the student employees and defined in the preceding paragraph will be observed.

Article 7

The two States undertake not to grant permits to student employees unless they are satisfied that the student employees will have sufficient resources for their maintenance while in the authorized employment.

Article 8

(a) Student employees shall enjoy equality of treatment with the nationals of the country where they are working as regards the application of laws, regulations and practices governing safety, health and conditions of work.

(b) Student employees and their employers shall conform to the regulations in force regarding social insurance.

Article 9

The two States undertake to exempt applications in respect of student employees from all taxes, duties and fees other than nominal charges. This exemption shall apply also and with the same reservation to the issue to student employees of visas, employment permits and resident permits.

Article 10

Student employees wishing to benefit by the provisions of this Agreement shall apply in the case of Netherlands nationals, to the National Labour Office (Rijksarbidsbureau) at The Hague; and in the case of Italian nationals, to the Ministry of Labour and Social Insurance in Rome.

Student employees shall include all necessary information in their application, stating in particular the name and address of the prospective employer.

Student employees shall submit to the authority responsible for dealing with applications in their own country :

- (1) A birth certificate;
- (2) A certificate of good conduct;
- (3) A medical certificate;
- (4) Where necessary, a statement of engagement from the employer;
- (5) An undertaking to leave at the end of the period of student employment.

The said authority shall consider whether the application should be transmitted to the corresponding authority of the other State, taking into account the annual quota.

Article 11

For the purpose of furthering the objects of the present Agreement and with a view to assisting so far as possible candidates for student employment who may be unable to find by their own efforts employers who are willing to employ them as student employees, the two States agree to facilitate the exchange of student employees by all appropriate means with the help of the organizations concerned.

Article 12

Nothing in the present Agreement shall be deemed to affect the obligation of any person to comply with the laws and regulations in force in the territories of the two States concerning the entry, residence and departure of nationals of other countries.

Article 13

(a) Arrangements for the application of the present Agreement will, if required, be made between the competent authorities of the two States.

(b) Any disagreement between the two States arising out of the interpretation or application of the present Agreement shall be settled by direct negotiation.

(c) If any such disagreement cannot be resolved by such negotiation within a period of three months from the commencement of the negotiation, it shall be submitted to arbitration by an arbitral body whose composition and procedure shall be determined by agreement between the two States.

(d) The decision of the arbitral body shall be given in accordance with the fundamental principles and spirit of the present Agreement and shall be accepted as final and binding.

Article 14

The present Agreement shall enter into force on the date of signature and shall remain in force until 31 December 1954.

It shall thereafter be renewed by tacit agreement from year to year, unless it is denounced in writing by one of the two States before 1 July with effect as from the end of the year.

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

IN WITNESS WHEREOF the undersigned, duly authorized to that end, have signed the present Agreement and have thereto affixed their seals.

DONE at Rome in two copies in French on 4 June 1954.

For the Government
of the Kingdom of the Netherlands :
(Signed) H. N. BOON

For the Government
of the Italian Republic :
(Signed) DOMINEDO