

No. 6263

**FINLAND
and
ITALY**

**Agreement concerning the exchange of student employees.
Signed at Helsinki, on 18 February 1961**

Official texts : Finnish and Italian.

Registered by Finland on 23 July 1962.

**FINLANDE
et
ITALIE**

**Accord relatif à l'échange de stagiaires. Signé à Helsinki,
le 18 février 1961**

Textes officiels finnois et italien.

Enregistré par la Finlande le 23 juillet 1962.

[TRANSLATION — TRADUCTION]

No. 6263. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE ITALIAN REPUBLIC CONCERNING THE EXCHANGE OF STUDENT EMPLOYEES. SIGNED AT HELSINKI, ON 18 FEBRUARY 1961

The Government of the Republic of Finland and the Government of the Italian Republic, having in mind the social and cultural advantages offered by an exchange of student employees between the two countries and considering the need to regulate such exchanges, have agreed as follows :

Article 1

(1) This Agreement shall apply to student employees, that is, to nationals of one of the contracting countries who proceed to the territory of the other in order to improve their occupational proficiency and linguistic knowledge by taking employment there for a specified period of time.

(2) Student employees, of either sex, may be employed in mental or manual work, with the exception of domestic service. They shall normally be between eighteen and thirty years of age.

Article 2

(1) Subject to the laws and regulations in force in each contracting country concerning the entry, sojourn and departure of aliens, and under the conditions laid down in the following articles, student employees of either country shall be authorized to accept employment in the other country irrespective of the general employment situation or the employment situation in the relevant branch of activity but with due regard for the legal or administrative provisions governing the employment of aliens in specific occupations.

(2) In general, student employees shall be admitted to the country irrespective of the state of the labour market in the relevant occupation. The supreme administrative authorities of the contracting countries may, however, stipulate by common agreement that certain occupations and areas shall be excluded from the application of the Agreement.

¹ Came into force on 1 June 1962, the first day of the second month after the exchange of the instruments of ratification which took place at Rome on 4 April 1962, in accordance with article 13 (1).

(3) In either of the contracting countries, authorization to work as a student employee under the terms of this Agreement shall take the place of a work permit.

Article 3

(1) The number of authorizations to be granted by either contracting country to student employees of the other country shall not exceed fifty a year.

(2) The annual quota of fifty specified in paragraph (1) shall not be subject to reduction on the grounds that other student employees are already or will be resident in the territory of the other country under authorizations for which an extension has been granted as provided in article 4, paragraph (1), or under authorizations issued in the preceding year.

(3) Every authorization issued for a year or less and used in whole or in part shall count as part of the quota. Each country shall be entitled to take up the whole of its annual quota even if the other country does not use its own or uses only part of it. The unused balance of the quota for any year may not be carried over to the following year.

(4) The number of student employees specified in paragraph (1) may be altered, on the proposal of one of the contracting countries, by an exchange of notes between the Ministries of Foreign Affairs of the two countries. Any such arrangement in respect of the following calendar year must be concluded not later than 1 December.

Article 4

(1) The period for which student employees are admitted shall not exceed one year. In exceptional cases this period may be extended for not more than six months.

(2) At the end of the period for which they were admitted, student employees may not as a rule remain in the country in which they have been employed as student employees for the purpose of seeking other employment there.

(3) Student employee authorizations shall be granted subject to the condition that the student employee does not engage in any other gainful activity or in any employment other than that for which the authorization was granted.

Article 5

Student employees shall enjoy the same treatment as nationals of the host country in all matters concerning the application of the laws, regulations and customs governing working conditions, social insurance, unemployment insurance, hygiene and work safety, and in general in all matters concerning the application of the provi-

sions on employees' social security. The provisions of the relevant Conventions and Agreements concluded between the two States shall also apply to them.

Article 6

A student employee may not take up employment in an enterprise during a strike or lock-out. If such a dispute should occur during his period of employment, the employment shall cease forthwith, subject to the provisions of article 10, paragraph (2).

Article 7

Student employees shall be exempt from any dues or taxes connected with the issue of work or residence permits.

Article 8

The competent authorities of one contracting country may issue the required authorization to a student employee of the other contracting country only if the employer undertakes to give the student employee adequate remuneration, that is to say :

(a) For a normal amount of work, remuneration in accordance with the rates fixed by collective agreements between employers and workers or, in the absence of any such agreement, in accordance with the rates normally payable in the area concerned for the occupational category to which the student employee belongs ;

(b) For less than the normal amount of work, remuneration corresponding to the value of his services and sufficient in any case to provide him with the necessary means of subsistence.

Article 9

(1) Persons wishing to take advantage of the provisions of this Agreement shall apply to the competent authorities of their own country. The application shall contain all the necessary particulars and shall be accompanied by the following documents :

(a) Birth certificate ;

(b) Certificate of good conduct ;

(c) A medical certificate issued, if possible, by the physician at the place of employment and stating that the person concerned is free from any infectious or contagious disease or any other disease which might affect his capacity to work ;

(d) Copies of school-leaving certificates and testimonials ;

(e) In the case of persons who have obtained employment in the other country on their own initiative, a written offer of employment together with particulars of the working hours and wages.

(2) It shall be the responsibility of the above-mentioned authorities to determine whether the applicant fulfils the requirements for employment as a student employee and, if so, to transmit the relevant documents to the competent authorities of the other country in the event that there are unfilled places in the annual quota.

Article 10

(1) With a view to achieving the purposes of this Agreement and giving every possible assistance to persons who apply for employment as student employees but are not in a position to find such employment by their own efforts, the competent authorities of the contracting countries undertake to help applicants find employment free of charge.

(2) If a student employee's employment is terminated before the appointed time for reasons beyond his control or if, during his period of employment, a long strike or lock-out occurs at the enterprise at which he is employed, the competent authorities of the host country shall take all possible steps to find him another suitable post.

Article 11

The competent authorities of the two countries shall take all necessary measures to ensure that the exchange of student employees provided for in this Agreement is put into effect promptly.

Article 12

(1) Persons wishing to take advantage of the provisions of this Agreement shall submit their applications :

In the case of Finnish nationals, to the Student Employee Exchange Office, Ministry of Transport and Public Works (Kulkulaitosten ja yleisten töiden ministeriö, Harjoittelijainvaihtotoimisto), Hallituskatu 17, Helsinki, Finland ;

In the case of Italian nationals, to the Ministry of Labour and Social Insurance (Ministero del Lavoro e della Previdenza Sociale), Rome.

(2) The Finnish and Italian authorities mentioned above shall immediately establish contact with each other for the purpose of putting this Agreement into effect.

(3) Any disputes which may arise concerning the application of this Agreement shall be settled amicably through the regular diplomatic channel.

Article 13

(1) This Agreement shall come into force on the first day of the second month which follows the exchange of the instruments of ratification, and it shall remain in force until 31 December of the year in which it comes into force.

(2) This Agreement shall be deemed to be renewed by tacit consent for each subsequent year unless written notice of termination is given by either of the two contracting countries before 1 July, to take effect at the end of the year.

(3) In the event of the Agreement being terminated, authorizations granted thereunder shall remain valid for the period for which they were granted.

DONE at Helsinki on 18 February 1961, in duplicate, in the Finnish and Italian languages, both texts being equally authentic.

For the Finnish Government :

Ralf TÖRNGREN

For the Italian Government :

R. DUCCI
