

No. 8085

**IRELAND
and
SWITZERLAND**

**Exchange of notes constituting an agreement in regard to
the exchange of employment facilities. Dublin, 14 March
1949**

Official texts: English and French.

Registered by Ireland on 7 February 1966.

**IRLANDE
et
SUISSE**

**Échange de notes constituant un accord relatif à l'échange
de stagiaires. Dublin, 14 mars 1949**

Textes officiels anglais et français.

Enregistré par l'Irlande le 7 février 1966.

No. 8085. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF IRELAND AND THE GOVERNMENT OF SWITZERLAND IN REGARD TO THE EXCHANGE OF EMPLOYMENT FACILITIES. DUBLIN, 14 MARCH 1949

N° 8085. ÉCHANGE DE NOTES CONSTITUANT UN ACCORD¹ ENTRE LE GOUVERNEMENT IRLANDAIS ET LE GOUVERNEMENT SUISSE RELATIF À L'ÉCHANGE DE STAGIAIRES. DUBLIN, 14 MARS 1949

I

From the Minister for External Affairs of Ireland to the Swiss Chargé d'Affaires at Dublin

Le Ministre des affaires extérieures de l'Irlande au Chargé d'affaires de Suisse à Dublin

DEPARTMENT OF EXTERNAL AFFAIRS

IRELAND

14 March, 1949

Sir,

I have the honour to refer to the conversations which have taken place concerning the admission, as "stagiaires," of Irish nationals to Switzerland and of Swiss nationals to Ireland and to inform you that the Irish Government is prepared to conclude an Agreement on this subject in the following terms :

Article 1

The present Agreement applies to "stagiaires," that is to say to nationals of one of the two countries who go to the other country, for a limited period, so as to perfect their knowledge of the language and commercial or professional practices in that country, while at the same time holding employment there.

Subject to the observance of the provisions of Section 3 of the arrangement of the 9th June, 1947,² concerning the Mutual Abolition of Visas, "stagiaires" will be authorised to take up employment in the following conditions without regard to the employment position in their profession.

Article 2

"Stagiaires" may be of either sex. As a general rule, they should not be more than 30 years of age.

¹ Came into force on 14 March 1949 by the exchange of the said notes.

² See p. 171 of this volume.

¹ Entré en vigueur le 14 mars 1949 par l'échange desdites notes.

Article 3

The authorisation will normally be given for one year. It may, in exceptional cases, be prolonged for an additional six months.

Article 4

Prospective employers of “stagiaires” must furnish an undertaking to the competent authorities to remunerate the “stagiaires” as soon as they give normal service, in accordance with the rates fixed by collective labour conventions where such conventions exist, or, where they do not exist, in accordance with the normal current rates of the profession and district.

In other cases, employers must undertake to give “stagiaires” a remuneration corresponding to the value of their services.

Article 5

The number of “stagiaires” who may be admitted to either State shall not exceed 200 per year. Additional applications will, however, be considered favourably, if the employment position so permits.

The quota of 200 “stagiaires” is valid for the year 1949 up to 31st December, and for each succeeding year from the 1st January to 31st December. “Stagiaires” already residing in the territory of the other State on the 1st January will not be included in the quota of the current year. In any year the quota may be filled to its limit of 200, irrespective of the duration of the authorisations granted in the course of the previous year.

The quota may be modified later by virtue of an agreement made on the proposal of either State by the 1st December at the latest, in respect of the following year. If the agreed quota has not been filled in the course of one year by the “stagiaires” of either State, that State cannot reduce the number of authorisations given to the “stagiaires” of the other State, or carry forward to the following year the unused portion of the quota.

Article 6

Persons wishing to avail themselves of the provisions of the present agreement must submit an application to that effect to the authority in their State charged with centralising applications from “stagiaires”. They must furnish with their application all the information required, and in particular, state the name and address of their future employer.

It will be a matter for the above-mentioned authority to consider whether the application should be transmitted to the corresponding authority of the other State, having regard to the annual quota to which it is entitled and to the distribution of this quota as between different professions.

The “Office fédéral de l'industrie, des arts et métiers et du travail” (the Federal Office of Industry, Arts, Crafts and Labour) in Berne will accept the applications of Swiss persons who wish to be “stagiaires”. The Department of Industry and Commerce in Dublin will do likewise for Irish applicants on behalf of the Committee referred

to in the last sentence of Article 7. The two authorities will transmit directly to each other the applications which they have accepted.

Article 7

The competent authorities of each country shall make every effort on behalf of applicants to find employment for them. If necessary, these applicants can approach, in each country, the bodies specially encharged with supporting their efforts. Irish candidates will be assisted in Switzerland by the " Commission pour l'échange de stagiaires avec l'étranger, " at Baden. Swiss applicants will be facilitated in like manner in Ireland by an appropriate committee to be established under the auspices of the Department of Industry and Commerce.

Article 8

The competent authorities shall make every effort to see that applications are dealt with in the briefest time possible. They shall likewise endeavour to solve with the greatest possible speed any difficulties which may arise in regard to the entry and stay of " stagiaires. "

Article 9

The present agreement shall enter into force immediately and remain in force up to 31st December, 1949.

It shall be prolonged subsequently by tacit agreement and on each occasion for a further year, unless denounced by one of the contracting parties before the 1st July in respect of the end of the year.

In case of denunciation, however, the authorisations granted by virtue of the present Agreement shall remain valid for the period for which they have been granted.

If the foregoing terms are agreeable to the Swiss Federal Council, I have the honour to suggest that this Note and your reply to that effect should be regarded as constituting an Agreement between the two Governments and that the date of your reply should be taken as the effective date of the Agreement.

Accept, Sir, the renewed assurance of my high consideration.

Seán MACBRIDE

[TRANSLATION¹ — TRADUCTION²]

SWISS LEGATION IN IRELAND

Dublin, March 14th, 1949

Mr. Minister,

I have the honour to acknowledge receipt of Note (No. 315/64) of the 14th March, 1949, in which Your Excellency was so good as to inform me that the Irish Government is prepared to conclude an Agreement regulating the exchange of “stagiaires” between Switzerland and Ireland, expressed in the following terms :

[*See note I*]

I have the pleasure of informing Your Excellency that the Federal Council accepts the foregoing text and approves of the suggestion that your note and this reply should be regarded as constituting an Agreement between the two Governments in this matter, entering into force from to-day's date.

Please accept, Mr. Minister, the assurance of my very high consideration.

W. DE BOURG

¹ Translation by the Government of Ireland.

² Traduction du Gouvernement irlandais.