

No. 12173

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**AUSTRIA
and
ITALY**

**Agreement concerning the movement of persons. Signed at Rome on
17 July 1971**

Authentic texts: German and Italian.

Registered by Austria on 5 December 1972.

**AUTRICHE
et
ITALIE**

**Accord relatif au mouvement des personnes. Signé à Rome le
17 juillet 1971**

Textes authentiques: allemand et italien.

Enregistré par l'Autriche le 5 décembre 1972.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE REPUBLIC OF AUSTRIA AND THE ITALIAN REPUBLIC CONCERNING THE MOVEMENT OF PERSONS

The Republic of Austria and the Italian Republic,

Desiring, in the spirit of good-neighbourly relations, to facilitate further the movement of persons between the two States, have agreed that this matter shall, over and above the provisions of the European Agreement on regulations governing the movement of persons between Member States of the Council of Europe of 13 December 1957,² be regulated as follows :

Article 1. 1) Italian nationals may enter the territory of the Republic of Austria and remain therein for a period of three months without a visa, provided that they are in possession of one of the following documents of the Italian Republic :

- Valid passport;
- Collective passport;
- Official identity card;
- Government employee's identity card;
- Birth certificate with photograph, stamped by the police, in the case of minors under 15 years of age.

2) For a stay of more than three months, Italian nationals shall require a valid passport of the Italian Republic and an entry visa of the Republic of Austria.

3) For a stay for the purpose of exercising an employment or performing professional services in the territory of the Republic of Austria, Italian nationals shall require a valid passport of the Italian Republic and a visa of the Republic of Austria. Where, however, a professional activity is exercised in the artistic, cultural or sporting field, Italian nationals may enter the territory of the Republic of Austria and remain therein for a period of 30 days without a visa, provided that they are in possession of one of the documents mentioned in paragraph 1 above.

4) Italian nationals who have entered Austria without a visa or with a visa valid for a specified period may, provided that they are in possession of a valid passport of the Italian Republic, be authorized to remain for a further period through the issue of a re-entry visa.

Article 2. Where, in accordance with article 1, paragraphs 2 to 4, Italian nationals require a visa of the Republic of Austria, such visa shall be issued for multiple entries or re-entries so that they may, during the period of validity of the visa, cross the frontiers of the Republic of Austria as often as they wish. No charges shall be payable for an entry visa, and the only charge for a re-entry visa shall be the application fee.

¹ Came into force on 15 October 1972, i.e. one month after the exchange of the instruments of ratification, which took place at Vienna on 15 September 1972, in accordance with article 9 (1).

² United Nations, *Treaty Series*, vol. 315, p. 139.

Article 3. 1) Austrian nationals may enter the territory of the Italian Republic and remain therein for a period of three months without a visa, provided that they are in possession of one of the following travel documents of the Republic of Austria :

- Passport valid or expired within the last five years;
- Official identity card;
- Collective passport;

2) For a stay of more than three months, Austrian nationals shall require a valid passport of the Republic of Austria and an entry visa of the Italian Republic.

3) For a stay for the purpose of exercising an employment or performing professional services in the territory of the Italian Republic, Austrian nationals shall require a valid passport of the Republic of Austria and an entry visa of the Italian Republic. Where, however, a professional activity is exercised in the artistic, cultural or sporting field, Austrian nationals may enter the territory of the Italian Republic and remain therein for a period of 30 days without a visa, provided that they are in possession of one of the travel documents mentioned in paragraph 1 above.

4) Austrian nationals who have entered Italy without a visa or with a visa valid for a specified period may, provided that they are in possession of a valid passport of the Republic of Austria, be authorized to remain for a further period through extension of the residence permit.

Article 4. Where, in accordance with article 3, paragraphs 2 and 3, Austrian nationals require an entry visa of the Italian Republic, such visa shall be issued free of charge. The only charge for extension of the residence permit (article 3, paragraph 4) shall be the application fee. During the period of validity of the residence permit, Austrian nationals may cross the frontiers of the Italian Republic as often as they wish without a re-entry visa (*visto di reingresso*).

Article 5. Nationals of either Contracting State shall be required, while in the territory of the other State, to comply with the provisions in force in that territory concerning sojourn and employment or professional activity of aliens.

Article 6. The competent authorities of the Republic of Austria and the Italian Republic respectively reserve the right to deny entry and sojourn to any national of the other Contracting State who is considered undesirable.

Article 7. Each Contracting State shall allow the holder of one of the documents mentioned in article 1, paragraph 1, and article 3, paragraph 1, to re-enter its territory without formality even if his nationality is under dispute.

Article 8. Each Contracting State reserves the right to order the temporary suspension of all or some of the foregoing provisions—other than the provisions of article 7—for reasons of *ordre public*, security or public health. Any suspension shall immediately be notified in writing to the other Contracting State through the diplomatic channel.

Article 9. 1) This Agreement is subject to ratification. It shall enter into force one month after the exchange of the instruments of ratification. The instruments of ratification shall be exchanged at Vienna.

2) This Agreement is concluded for an indefinite period and may be denounced in writing through the diplomatic channel, subject to three months' notice.

3) This Agreement shall not affect any provisions contained in bilateral and multilateral conventions or agreements now in force between the two States, other than the Agreement concerning the abolition of visas concluded at Rome on 28 Decem-

ber 1955,¹ which shall cease to have effect on the date of entry into force of the present Agreement.

IN WITNESS WHEREOF the plenipotentiaries have signed this Agreement and have thereto affixed their seals.

DONE at Rome, on 17 July 1971, in two original copies in the German and Italian languages, both texts being equally authentic.

For the Republic of Austria :
RUDOLF KIRCHSCHLÄGER

For the Italian Republic :
ALDO MORO

¹ United Nations, *Treaty Series*, vol. 260, p. 345.