

No. 21610

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**AUSTRIA
and
FRANCE**

**Agreement on the Statute of the Lycée français in
Vienna. Signed at Vienna on 4 May 1982**

Authentic texts: German and French.

Registered by Austria on 25 February 1983.

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**AUTRICHE
et
FRANCE**

**Accord concernant le statut du Lycée français de Vienne.
Signé à Vienne le 4 mai 1982**

Textes authentiques: allemand et français.

Enregistré par l'Autriche le 25 février 1983.

[TRANSLATION—TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF AUSTRIA AND THE GOVERNMENT OF THE FRENCH REPUBLIC ON THE STATUTE OF THE LYCÉE FRANÇAIS IN VIENNA

The Government of the Republic of Austria and the Government of the French Republic,

Recognizing the need to take into account the changes which have taken place in the relevant provisions of the French and Austrian educational legislation since the conclusion, between the Federal Government of the Republic of Austria and the Government of the French Republic, of the Agreement of 22 February 1952 concerning the Statute of the Lycée français in Vienna, by a revision of this Agreement,

Desiring to facilitate the implementation of article 4 of the Cultural Agreement between the Republic of Austria and the French Republic of 15 March 1947²,

Have to this end agreed as follows:

Article I. The Lycée français in Vienna is an educational establishment of the French Republic abroad. The provisions of the Cultural Agreement between the Republic of Austria and the French Republic of 15 March 1947 concerning the French Institute in Austria shall apply to the establishment and to the French staff of the Lycée français in Vienna.

Article II. 1. Staff members of French nationality employed by the Lycée français in Vienna shall benefit from the same advantages and the same rights as the staff of the French Institute in Austria. The provisions of the Austrian Labour Code, BGBl. No. 22/1974, shall not apply to such staff members.

2. On the other hand, the Austrian Labour Code, BGBl. No. 22/1974, shall apply to staff employed by the Lycée français in Vienna who are not of French nationality.

Article III. The correspondence between French grades and Austrian grades shall be as follows:

| <i>In France</i> | <i>In Austria</i> |
|--|-------------------|
| 12 ^e classe maternelle | Kindergarten |
| 11 ^e cours préparatoire | 1. Schulstufe |

¹ Came into force on 27 February 1983, i.e., two months after the date of the last of the notifications (effected on 17 and 27 December 1982) by which the Contracting Parties informed each other of the completion of the required constitutional provisions, in accordance with article XIV.

² United Nations, *Treaty Series*, vol. 12, p. 109.

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|---|----------------|
| 10 ^e cours élémentaire 1 ^{re} année | 2. Schulstufe |
| 9 ^e cours élémentaire 2 ^e année | 3. Schulstufe |
| 8 ^e cours moyen 1 ^{re} année | 4. Schulstufe |
| 7 ^e cours moyen 2 ^e année | 5. Schulstufe |
| 6 ^e de collège | 6. Schulstufe |
| 5 ^e de collège | 7. Schulstufe |
| 4 ^e de collège | 8. Schulstufe |
| 3 ^e de collège | 9. Schulstufe |
| 2 ^e de lycée | 10. Schulstufe |
| 1 ^{re} de lycée | 11. Schulstufe |
| Terminales de lycée | 12. Schulstufe |

Article IV. 1. Instruction at the Lycée français in Vienna shall be given according to official French curricula. In the case of pupils of Austrian nationality, complementary instruction, given in the German language, in German, Austrian and German literature, Austrian history and social sciences and Austrian geography and economic sciences shall be compulsory for attainment of the school-leaving level of the corresponding Austrian establishments in the above-mentioned subjects.

2. This complementary instruction may be followed by pupils of other nationalities if they so request.

3. The curriculum for this complementary instruction (educational and teaching assignments, educational principles, distribution of subjects by grade, number of hours allocated) shall be determined by order of the Federal Minister of Education and the Arts after consultation with the Headmaster of the Lycée français.

4. In the case of pupils of Austrian nationality, the Austrian regulations shall apply with regard to religious instruction, which must be given in the German language.

Article V. By attending the corresponding grade of the French school system, pupils at the Lycée français in Vienna shall satisfy the provisions concerning the general compulsory education requirements laid down by Austrian legislation.

Article VI. 1. Any Austrian pupil leaving the Lycée français before passing the *baccalauréat* examinations must, in accordance with the provisions of the School Education Act, BGBl. No. 139/1974, take a placement examination if he wishes to be admitted to an Austrian public school or a school of equivalent status.

2. Those pupils who have successfully followed the complementary instruction programme shall be exempt from this placement examination—fully in the case of transfer to the Austrian first, second, third and fourth grades; and, in respect of the subjects of the complementary instruction programme in the case of transfer starting from the Austrian fifth grade.

3. In the case of transfer, the pupil shall also be evaluated in the domain of complementary instruction according to the Austrian regulations on placement evaluations. Both evaluations shall be noted in the school report.

Article VII. 1. The complementary instruction provided for in article IV, paragraph 1, second sentence, shall, without prejudice to article I, be taught by Austrian teachers possessing necessary qualifications, who shall be seconded to the Lycée français in Vienna by the Federal Ministry of Public Education and the Arts.

2. The administrative status of these teachers in Austria shall not be affected thereby.

3. The Austrian teachers at the Lycée français in Vienna shall have the same rights as the French teachers in the same grade.

4. Academic supervision of the complementary instruction provided for in article IV, paragraph 1, second sentence, and of the teachers providing that instruction shall be the task of the Austrian school authorities. The school authorities at the first level and at the highest level shall be, respectively, the School Board of the City of Vienna (*Stadtschulrat für Wien*) and the Federal Minister of Education and the Arts.

Article VIII. 1. The examinations which pupils of Austrian nationality at the Lycée français in Vienna must take in order to obtain the *baccalauréat* shall be determined by the existing official regulations regarding the *baccalauréat* in France, with the exceptions which shall be specified in a special intergovernmental agreement (*Übereinkommen*).

2. In the intergovernmental agreement provided for in paragraph 1, the subjects forming part of the complementary instruction provided for in article IV, paragraph 1, second sentence, in which pupils of Austrian nationality must take an examination in order to obtain the *baccalauréat*, shall be determined by Austria. In an analogous fashion, France shall determine those examinations provided for in the official French regulations which shall be replaced by Austrian examinations.

3. Pupils not of Austrian nationality who have successfully completed the complementary instruction programme provided for in article IV, paragraph 2, shall also be permitted to take examinations as provided for in paragraph 2.

Article IX. The certificate attesting to success in the full French *baccalauréat*, including the examinations in the required subjects of the complementary instruction programme, shall be equivalent to a certificate attesting to success on the Austrian school-leaving examination.

Article X. 1. The evaluation of examinations in the required subjects of the complementary instruction programme, within the framework of the *baccalauréat* examination, shall be done in accordance with Austrian regulations concerning the school-leaving examination.

2. If examinations in subjects of the complementary instruction programme replace certain *baccalauréat* examinations, in accordance with the intergovernmental agreement (*Übereinkommen*) provided for in article VIII, the replacement examinations shall be marked according to official French regulations as well. The certificate must show the two evaluations.

3. If the examination result in one of the subjects of the complementary instruction programme is judged “inadequate”, the candidate shall obtain the Austrian school-leaving certificate, as a complement to the full French *baccalauréat*, only after successfully resitting the examination judged “inadequate”, in accordance with the provisions of Austrian law.

Article XI. 1. In order to allow students at the Lycée français to sit the *baccalauréat* examinations and the complementary examinations mentioned in article IV, paragraph 1, second sentence, an examination centre (and an examining board) shall be set up each year at Vienna.

2. The chairman of the examining board shall be a higher education teacher nominated by the Rector of the Competent French educational district.

3. For the complementary instruction examinations which are part of the *baccalauréat*, the competent Austrian school authority shall designate each year an examining board constituted as follows: the competent General Superintendent, as chairman and the necessary number of qualified examiners for each subject. These examiners shall participate in the deliberations of the examining board for the *baccalauréat*.

Article XII. The school attendance certificates issued by the Lycée français, as well as the certificates issued by the Vienna examination centre relating to the results of the *baccalauréat* examinations, including the complementary examinations mentioned in article IV, paragraph 1, second sentence, shall have the probative value of official documents.

Article XIII. Pupils at the Lycée français shall have parity with pupils at Austrian public schools with regard to their legal status for the purposes of the granting of school travel subsidies, entitlement to free school transportation, the use of free textbooks provided for in the Family Expenses Equalization Act of 1967, BGBl. No. 376/1967, eligibility for the school accident insurance provided for in the General Social Security Act, BGBl. No. 189/1955, and eligibility for the “school and home subsidy” (*Schul- und Heimbeihilfe*) provided for in the School Subsidies Act, BGBl. No. 253/1971.

Article XIV. Each Contracting Party shall notify the other of the completion of the formalities required by the constitutional provisions for the entry into force of this Agreement, which shall enter into effect two months after the date of the last notification.

This Agreement shall remain in force for an unlimited period.

Each Contracting Party may at any time denounce this Agreement in writing, through the diplomatic channel. The denunciation shall take effect 180 days after receipt of notification by the other Party.

The Agreement signed on 22 February 1952 between the Federal Government of the Republic of Austria and the Government of the French Republic on the Statute of the Lycée français in Vienna shall be abrogated.

DONE at Vienna on 4 May 1982 in duplicate, in the French and German languages, both texts being equally authentic.

For the Government of the Republic of Austria:
FRED SINOWATZ m. p.

For the Government of the French Republic:
R. BRESSIER m. p.
