

No. 27709

**FEDERAL REPUBLIC OF GERMANY
and
HUNGARY**

Agreement concerning the employment of workers for the extension of vocational and linguistic knowledge (Foreign Labour Agreement). Signed at Budapest on 18 December 1989

Authentic texts: German and Hungarian.

Registered by Germany on 7 December 1990.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
HONGRIE**

Convention relative à l'embauche de travailleurs en vue de perfectionner leurs connaissances professionnelles et linguistiques (Accord relatif à l'embauche de travailleurs migrants). Signée à Budapest le 18 décembre 1989

Textes authentiques : allemand et hongrois.

Enregistrée par l'Allemagne le 7 décembre 1990.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
REPUBLIC OF HUNGARY CONCERNING THE EMPLOYMENT
OF WORKERS FOR THE EXTENSION OF VOCATIONAL AND
LINGUISTIC KNOWLEDGE (FOREIGN LABOUR AGREEMENT)

The Government of the Federal Republic of German and
The Government of the Republic of Hungary
Have agreed as follows:

Article 1

1. This Agreement shall apply to Germans and Hungarians residing in the area covered by this Agreement and seeking employment as foreign workers.
2. For the purposes of this Agreement, the competent authorities shall be:
 - (a) On the German side: die Bundesanstalt für Arbeit/Zentralstelle für Arbeitsvermittlung in Frankfurt am Main;
 - (b) On the Hungarian side: Országos Munkaeröpiaci Központ Budapest.

Article 2

1. Foreign workers shall be workers who:
 - (a) Have completed a vocational training course;
 - (b) Take up temporary employment to improve their vocational and linguistic knowledge; and
 - (c) Are not under 18 or over 40 years of age on the date on which they take up the said employment.
2. The period of employment as foreign workers shall normally be one year, although it may be extended to a total of 18 months.

Article 3

1. The requisite permits shall be issued to foreign workers, in accordance with the national regulations on the entry and stay of aliens, in order to enable them to live and work in their host country for the duration of their employment.
2. Application for a residence permit, in the form of a visa, must be made, before entry into the host country, to that country's competent mission abroad. The requisite work permit shall be issued regardless of the situation and trends of the labour market.

Article 4

Remuneration and other terms of employment shall be determined in accordance with the collective agreements and the provisions of the labour law and social insurance regulations of the host country.

¹ Came into force on 2 February 1990, the date on which the Parties notified each other of the completion of the national requirements, in accordance with article 10 (1).

Article 5

1. The number of foreign workers who can be admitted by each side shall be fixed at 500 per year.
2. This maximum figure may be changed by agreement of the two sides through an exchange of notes.
3. If the maximum figure is not reached, the job placements shall not be carried over to the following year. An extension of the period of employment, as provided for in article 2, shall not be deemed to constitute a new admission.

Article 6

1. Foreign workers wishing to be admitted under this Agreement may submit an application for placement to their competent national authority responsible for implementing this Agreement. The said authority shall transmit the application to the competent authority on the other side.
2. The competent authorities on both sides shall promote the exchange programme and shall endeavour to find suitable employment for the foreign workers; they shall notify the results of their endeavours to the competent authority on the other side.
3. If a contract of employment is terminated prematurely, the competent authority of the host country shall endeavour to place the foreign worker in another equivalent job.

Article 7

No charges or fees shall be levied for job placements. In all other respects the legislation of the side concerned shall apply in regard to charges and the payment of fees.

Article 8

The Federal Minister for Labour and Social Affairs of the Federal Republic of Germany and the National Office for Labour and Wages of the Republic of Hungary shall work close together under this Agreement. If necessary, a joint German-Hungarian working group shall be formed, at the request of either side, to discuss questions relating to implementation of this Agreement.

Article 9

Pursuant to the Quadripartite Agreement of 3 September 1971,¹ this Agreement shall be extended to Berlin (West) in accordance with the established procedures.

Article 10

1. This Agreement shall enter into force on the date on which the two sides have notified each other that the national requirements for its entry into force have been fulfilled.
2. This Agreement shall enter into force for a period of three years and shall be extended for further successive periods of one year unless it is denounced in writing by either of the two sides not less than six months before the end of the calendar year.

¹United Nations, *Treaty Series*, vol. 880, p. 115.

3. The period granted in work permits issued under this Agreement shall not be affected by such denunciation.

DONE at Budapest on 18 December 1989, in two originals, each in the German and Hungarian languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

Dr. ARNOT

Dr. NORBERT BLÜM

For the Government of the Republic of Hungary:

Dr. CSABA HALMOS
