

No. 30488

**ESTONIA
and
SWEDEN**

**Agreement on the exchange of trainees. Signed at Stockholm
on 30 September 1992**

Authentic texts: Estonian and Swedish.

Registered by Estonia on 17 November 1993.

**ESTONIE
et
SUÈDE**

**Accord relatif à l'échange de stagiaires. Signé à Stockholm le
30 septembre 1992**

Textes authentiques : estonien et suédois.

Enregistré par l'Estonie le 17 novembre 1993.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF ESTONIA AND THE GOVERNMENT OF THE KINGDOM OF SWEDEN ON THE EXCHANGE OF TRAINEES

The Government of the Kingdom of Sweden and the Government of the Republic of Estonia, having regard to the economic, social and cultural advantages afforded by an exchange of trainees between the two countries and having regard to the need to establish rules for such an exchange, have agreed as follows:

Article 1

This Agreement shall apply to trainees. The term “trainees” means nationals of one of the two countries who travel to the other country to improve their occupational and language skills by taking employment for a certain limited period.

Trainees may take employment in any occupation. They shall have reached the age of 18 years and shall not be more than 30 years of age.

Article 2

Subject to the provisions governing entry, permanent residence and departure, the competent authorities of one country shall grant trainees from the other country a permit to take up employment there under the conditions set forth in the following articles, irrespective of the general employment situation and the particular employment situation within the occupation in question; the provisions governing the employment of aliens in certain occupations shall, however, apply.

The competent authorities shall take all necessary measures to ensure that decisions concerning the entry, work and residence permits of appointed trainees can be taken without delay. They shall also endeavour, as soon as possible, to remove any difficulties that may arise in connection with the entry of trainees into the country and their residence there.

The Contracting Governments shall exempt trainees from charges for work and residence permits.

Article 3

The number of permits granted by each country shall not exceed three hundred (300) a year.

The fact that a trainee is already staying in or is to travel to a Contracting country on the basis of a permit granted during the previous year or a permit extended in accordance with the first paragraph of article 4, shall not result in any lowering of the annual quota specified in the first paragraph of this article.

Each permit granted shall, whether it has been granted for one year or a shorter period or whether it has been fully or partly used up, shall be charged to the quota set. Each country is entitled to use up the annual quota in full, even if the other

¹ Came into force on 1 October 1992, in accordance with article 13.

country does not use up its quota or uses only part of it. The unused portion of an annual quota may not be carried over to the following year.

The number of trainees specified in the first paragraph of this article may, if both Parties so agree, be amended at the proposal of one of the countries. Such an agreement shall apply to the following calendar year and shall have been reached no later than 1 December. The agreement shall be in writing and shall be confirmed by both parties.

Article 4

The length of the training period for a trainee should be at least three months. The length of the training period shall, in the case of each trainee, not exceed one year in the aggregate during any three-year period. In exceptional cases that period may be extended to a total of not more than one year and six months.

This Agreement is not intended to imply that, after the end of the training period, trainees may remain in the country of training in order to seek other employment there, unless special circumstances so warrant.

A training permit shall be granted subject to the condition that the trainee is not permitted to engage in any other gainful employment or take up employment in an occupation other than that for which the permit was granted. However, that shall not prevent a trainee from taking up employment with an employer other than that originally specified. Before a trainee changes employer, however, the change shall be approved by the competent labour market body.

Article 5

Trainees shall be treated on an equal footing with the nationals of the country concerned as regards laws, regulations and practices concerning safety and hygiene at the place of work and as regards working conditions and legal protection in the area of labour legislation.

The employer shall be responsible for taking out health insurance for a trainee who is not covered by the general insurance scheme of the host country. In addition, any provisions of conventions and agreements between the two States in the field of social security shall be applied.

Article 6

Trainees may not take up employment in enterprises in which a labour dispute is in progress. Should such a dispute arise in an enterprise in which a trainee is employed, the trainee shall be covered by the rules resulting from the dispute. The second paragraph of article 9 contains provisions concerning procurement of other work in the event of a dispute.

Article 7

The competent authority of one country shall grant a trainee from the other country the prescribed permit on condition that the employer undertakes to pay the trainee adequate remuneration, namely:

(a) In the case of a trainee working full time, in accordance with the collective agreement or the other laws and regulations applicable to the establishment of salary rates for trainees or young persons or, where there are no such agreements, laws or

regulations, in accordance with the rates in force at the place of employment in the trainee's occupation.

(b) In the case of a trainee working part time, remuneration corresponding to the number of hours worked in proportion to the remuneration for full-time work.

Article 8

Persons wishing to serve as trainees shall submit an application to the competent authority in their own country. The application shall contain all necessary information, including information on basic language skills, and the following documents shall be attached:

(a) A personal identity document;

(b) A medical certificate;

(c) Copies of school reports and, where appropriate, employer's testimonials;

(d) In the case of persons who have obtained employment themselves in the other country, a written offer of employment from the employer and information concerning the period of employment and salary terms.

It shall be the responsibility of the aforesaid authority to decide whether the applicant has the qualifications necessary for a trainee and shall provide the competent authority of the other country with the appropriate documents, if a vacancy is available on the agreed annual quota.

Article 9

In order to fulfil the purpose of this Agreement and as far as possible assist persons who wish to find employment as trainees but who cannot obtain such employment on their own, the competent authorities of the two countries shall assist applicants in obtaining trainee posts, free of charge.

If a lengthy labour dispute breaks out during the period of employment in the enterprise in which the trainee is employed or if the employment ceases before the agreed time, on account of circumstances over which the trainee has no control, the competent authority of the country in which the trainee is present shall take all possible measures to find another suitable position for him.

Article 10

The competent authorities of the two countries shall take the necessary measures to implement the exchange of trainees in accordance with this Agreement as soon as possible.

Article 11

Application documents from persons wishing to take advantage of the provisions of this Agreement shall be sent:

— In the case of Swedish nationals, to the Arbetsmarknadsstyrelsen (Labour Market Board), Solna;

— In the case of Estonian nationals, to the Ministry of Labour, Tallinn.

Article 12

Any differences of opinion concerning the application of this Agreement shall be settled amicably through the normal diplomatic channel.

Article 13

This Agreement shall enter into force on 1 October 1992 and shall remain in force until 30 September 1993.

The Agreement shall be deemed to have been extended automatically for one calendar year unless it is denounced by one of the Governments in writing before 1 July, the denunciation to take effect at the end of the year.

In the event of denunciation the permits granted on the basis of this Agreement shall remain in effect for the stipulated period.

DONE at Stockholm on 30 September 1992, in duplicate in the Swedish and Estonian languages, both texts being equally authentic.

For the Government
of the Republic of Estonia:

M. LAIDRE

For the Government
of the Kingdom of Sweden:

B. HÖRNLUND
