

No. 8939

**NETHERLANDS
and
DENMARK**

**Agreement relating to the exchange of student employees.
Signed at Copenhagen, on 20 June 1967**

Official text: French.

Registered by the Netherlands on 24 January 1968.

**PAYS-BAS
et
DANEMARK**

**Accord relatif à l'échange de stagiaires. Signé à Copenhague,
le 20 juin 1967**

Texte officiel français.

Enregistré par les Pays-Bas le 24 janvier 1968.

[TRANSLATION — TRADUCTION]

No. 8939. AGREEMENT¹ RELATING TO THE EXCHANGE OF STUDENT EMPLOYEES BETWEEN THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS AND THE GOVERNMENT OF THE KINGDOM OF DENMARK. SIGNED AT COPENHAGEN, ON 20 JUNE 1967

The Government of the Kingdom of the Netherlands and the Government of the Kingdom of Denmark;

Desiring to promote the occupational and linguistic training of Netherlands and Danish student employees,

Have agreed together as follows :

Article 1

(a) This Agreement applies to student employees, that is to say to nationals of one of the two States going to the territory of the other State in order to improve their occupational and linguistic knowledge by taking employment with an employer.

(b) Student employees may be of either sex and may be employed in manual or non-manual employment. In general they shall be not less than eighteen or more than thirty years of age.

Article 2

Student employees shall be authorized to hold employment under the conditions established by the articles below, irrespective of the employment situation in general or in the occupation concerned.

Article 3

(a) The number of permits granted to student employees of each State under this Agreement shall not exceed one hundred in any one year.

¹ Came into force on 20 June 1967 by signature, in accordance with article 15.

By an exchange of notes at Copenhagen dated 27 and 30 October 1967 the two Parties agreed to consider this Agreement as replacing from 20 June 1967 the Arrangement governing the admission of student employees concluded at Copenhagen on 5 September 1938 by an exchange of notes between the Netherlands and Danish Governments (for the text of that Arrangement, see *Tractatenblad van het Koninkrijk der Nederlanden*, January 1967, No. 198, pages 11 and 12).

(b) This limit shall be independent of the number of student employees already resident on the territory of either State by reason of a prolongation of their permit under the conditions laid down in article 4. It shall apply irrespective of the period for which permits were issued in the course of any one year or the period for which they have been in use.

(c) If the quota is not filled in the course of a year by student employees of one of the two States, that State shall not be entitled to reduce the number of permits reserved to student employees of the other State, or carry forward to the next year the unused balance of its own quota. The quota of one hundred student employees shall apply for the year from 1 January to 31 December unless altered under a new agreement to be made at the proposal of one of the two States not later than 1 October for application in the following year.

Article 4

(a) The duration of student employment is limited to a period of one year. This period may be prolonged by not more than six months.

(b) On the expiration of their period of student employment, student employees shall not remain on the territory of the country where they were employed, for the purpose of engaging in any further employment there.

Article 5

Permits granted for student employment may be subject to the condition that student employees shall not carry on any other activity for financial gain or take employment other than that for which the permit is granted.

Article 6

It is a condition for the admission of student employees that the employers who desire to employ them undertake to engage them under the same conditions of work and remuneration as apply to national employees doing the same work in the enterprises in which the student employees are to be employed.

Article 7

The two States undertake not to grant permits to student employees unless they are satisfied that the student employees will have sufficient resources for their maintenance while in the authorized employment.

Article 8

(a) Student employees shall enjoy equality of treatment with the nationals of the country where they are working as regards the application of laws, regulations and practices governing safety, health and conditions of work, unless the

relevant legislative provisions make it a condition for obtaining such rights that the student employee must be a naturalized citizen of the country concerned.

(b) Student employees and their employers shall conform to the regulations in force regarding social insurance.

Article 9

The two States undertake to exempt applications in respect of student employees from all taxes, duties and fees other than nominal charges. This exemption shall apply also and with the same reservation to the issue to student employees of employment permits and resident permits.

Article 10

(a) Student employees wishing to benefit by the provisions of this Agreement shall apply, in the case of Netherlands nationals, to the Directorate-General of Employment of the Ministry of Social Affairs and Public Health at The Hague; and, in the case of Danish nationals, to the Directorate-General of Labour at Copenhagen.

(b) Student employees shall include all necessary information in their application, stating in particular the name and address of the prospective employer.

(c) Student employees shall submit to the authority responsible for dealing with applications in their own country:

- (1) A certificate of good conduct;
- (2) Where necessary, a statement of engagement from the employer;
- (3) An undertaking to leave at the end of the period of student employment.

(d) The said authority shall consider whether the application should be transmitted to the corresponding authority of the other State, taking into account the annual quota.

Article 11

For the purpose of furthering the objects of this Agreement and with a view to assisting so far as possible candidates for student employment who may be unable to find by their own efforts employers who are willing to employ them as student employees, the two States agree to facilitate the exchange of student employees by all appropriate means with the help of the organizations concerned.

Article 12

Nothing in this Agreement shall be so interpreted as to affect the obligation of any person to comply with the laws and regulations in force in the territories

of the two States concerning the entry, residence and departure of nationals of other countries.

Article 13

(a) Arrangements for the application of this Agreement will, if required, be made between the competent authorities of the two States.

(b) Any disagreement between the two States arising out of the interpretation or application of this Agreement shall be settled by direct negotiation.

(c) If any such disagreement cannot be resolved by such negotiation within a period of three months from the commencement of the negotiation, it shall be submitted to arbitration by an arbitral body whose composition and procedure shall be determined by agreement between the two States.

(d) The decision of the arbitral body shall be given in accordance with the fundamental principles and spirit of this Agreement and shall be accepted as final and binding.

Article 14

In respect of the Kingdom of the Netherlands this Agreement shall apply to the European territory of the Kingdom only.

This Agreement shall enter into force on the date of signature and shall remain in force until 1 January 1968.

It shall thereafter be renewed by tacit agreement from year to year, unless it is denounced in writing by one of the two States before 1 July with effect as from the end of the year.

Nevertheless, in case of denunciation, permits granted under this Agreement shall remain valid for the period for which they were granted.

IN WITNESS WHEREOF the undersigned, duly authorized for the purpose, have signed this Agreement and have thereto affixed their seals.

DONE at Copenhagen in duplicate in French, on 20 June 1967.

For the Government of the Kingdom of the Netherlands :
K. E. VAN DER MANDELE

For the Government of the Kingdom of Denmark :
Hans SØLVHØJ