Joint Declaration
of the Government of the Republic of India
and
the Government of the Republic of Austria
on a Working Holiday Programme

The Government of the Republic of India (in the following: the Indian side), and
The Government of the Republic of Austria (in the following: the Austrian side)

- in seeking to intensify their good relations and to further develop their cooperation,
- express their common intention, for the fostering of mutual understanding, to give young Austrian and Indian citizens the possibility to become better acquainted with the respective culture, daily life, and working world in the context of a holiday stay in India or Austria, with employment and study incidental during such a stay, and
- confirm their firm intention to implement a Working Holiday Programme for young Austrian and Indian citizens to that end, on the basis of this Joint Declaration.

I.

1. Both sides declare their preparedness, with due regard to the prevailing immigration rules, to grant a working holiday stay for a period of up to twelve months to Indian citizens or Austrian citizens, who
   (a) are aged between eighteen (18) and thirty (30) years, both inclusive, at the time of application,
   (b) have the primary intention to holiday in Austria or in India with employment and study being incidental rather than primary reasons for the visit,
   (c) are not accompanied by dependent family members,
   (d) have not previously completed a working holiday stay in India or in Austria,
   (e) are in possession of a valid Austrian or Indian passport and hold a return ticket or sufficient funds for the purchase of such a ticket,
   (f) have sufficient funds for their maintenance for the initial period of their stay abroad,
   (g) can show that they have sufficient health insurance coverage,
   (h) pay the prescribed visa application fee,

(i) comply with any health and character requirements imposed by Austria or India, and

(j) have not been convicted of a criminal offence.

2. The Austrian side expects that Indian programme participants will, before their entry to Austria, hold health insurance that covers all risks and will be effective in Austria. The Indian side expects that Austrian programme participants will, before their entry to India, hold health insurance that covers all risks and will be effective in India.

3. Both sides will issue up to two hundred (200) visas per annum to programme participants of the other side who satisfy the requirements in Paragraph 1 of this Joint Declaration. They will provide written advice to the other side of any decision to adjust the number of visas issued per annum. An adjustment in the number of visas issued per annum will not be regarded as a formal modification of this Joint Declaration, unless its effect is to reduce the number of visas to be issued per annum to fewer than two hundred (200) visas, in which case the procedure in Paragraph 11 will apply.

4. The Austrian side requires Indian programme participants who have entered Austria under the Joint Declaration to comply with the laws and regulations of Austria and not to engage in employment or study that is contrary to the terms of this Joint Declaration. The Indian side will require Austrian programme participants who have entered India under the Joint Declaration to comply with the laws and regulations of India and not to engage in employment or study that is contrary to the terms of this Joint Declaration. Any professional qualifications that, according to domestic regulations, will be required for the carrying-out of the employment sought, or other general requirements for registration or notification of the activity in question, will be observed.

5. The Austrian side declares that Indian citizens who meet the requirements in paragraph (1) of this Joint Declaration will receive a national visa for a working holiday stay in Austria, with which they may:

(a) for the purpose of supplementing their travel funds or for educational purposes, pursue employment with one or more employers for up to a total of six months without the need for a work permit – however, all requirements of employment contract law (*Arbeitsvertragsrecht*), employee protection law (*Arbeitnehmerschutzrecht*) including the special regulations concerning the employment of juveniles, employment relations and workplace labour relations law (*Arbeits- und Betriebsverfassungsrecht*), as well as the collective legal regulation in the field of labour law (*kollektive Rechtsgestaltung auf dem Gebiet des Arbeitsrechts*) and all social security regulations will apply – and

(b) study or participate in educational courses in Austria for up to twelve months.

6. The Indian side declares that Austrian citizens who meet the requirements in Paragraph 1 of this Joint Declaration can be issued a multiple-entry visa, with which they may:

(a) stay in India for up to twelve months,

(b) work for one or more employers in accordance with prevailing wage and working conditions for up to a total of six months, and

(c) study or participate in educational courses in India for up to twelve months.

7. Visa applications by Austrian citizens for a working holiday stay in India may be made at the competent Embassy of the Republic of India in Vienna or at other Indian missions/posts specifically empowered for that purpose. Applications may not be made in India.

8. Indian citizens may apply for a visa for a working holiday stay in Austria at the Austrian Embassy in New Delhi or at other Austrian consular posts specifically empowered for that purpose. Applications may not be made in the Republic of Austria.

9. Both sides approve that each side may

(a) temporarily suspend, in part or in whole, or

(b) cancel, in part or in whole,

this Joint Declaration. Such a decision will promptly be communicated to the other side through diplomatic channels, with three months' notice before it comes into effect.

10. Notwithstanding a partial or complete suspension or cancellation of the abovementioned measures, any person who holds a valid visa for a working holiday stay upon the taking-effect of such a decision may enter India or Austria and/or continue to stay there and work until the expiry of the visa, unless both sides decide otherwise.

11. Either side may, at any time, request consultations on the implementation and operation of this Joint Declaration through diplomatic channels. Such consultations will begin at the earliest possible date, but not later than 60 days from the date on which the other side has received the request, unless otherwise mutually determined by both sides. This Joint Declaration may be jointly reviewed upon the request of either side. A review of the duration of the working holiday programme will be undertaken a year after this Joint Declaration enters into effect.

12. This Joint Declaration may be modified at any time by the mutual written consent of both sides.

III.

13. Each side will notify the other side, through diplomatic channels, of the completion of its internal procedures necessary for this Joint Declaration to come into effect. This Joint Declaration will enter into effect on the receipt of the later notification.

This Joint Declaration is signed in duplicate in Vienna, on this … day of ….

For the Government of the Republic of India

Jaideep MAZUMDAR

Ambassador of the Republic of India to Austria

For the Government of the Republic of Austria

Petra SCHNEEBAUER

Ambassador and Director-General for Consular Affairs of the Ministry for European and International Affairs