

AGREEMENT IN REGARD TO THE EXCHANGE OF TRAINEES

BETWEEN

SWITZERLAND AND NEW ZEALAND

The Government of Switzerland and the Government of  
New Zealand,

Desiring to encourage vocational training of New  
Zealand and Swiss trainees,

Considering that arrangements for the exchange of  
trainees will also promote cooperation between the two  
countries in the economic, social and cultural fields,

Have Agreed as follows:

Article 1

This Agreement applies to trainees, that is, to  
nationals of New Zealand or Switzerland who go to the  
other country for a limited period of time to undertake  
employment while at the same time familiarising themselves  
with business, professional and technical practices in  
that country and improving their linguistic knowledge  
notwithstanding the situation in the labour markets.

## Article 2

Subject to the laws and regulations in force in either country concerning the entry, residence, departure and employment of non-citizens, each trainee shall be granted an entry permit and authority to undertake employment for the period of training agreed between the two countries. The permit shall enable trainees to take up employment in the host country within their respective fields of expertise.

## Article 3

Trainees may be of either sex. As a general rule, they should be over 18 and not more than 30 years of age.

## Article 4

Trainees shall have working knowledge where necessary of the language spoken in the host country, that is, English for Swiss trainees to be placed in New Zealand, and German, French or Italian for New Zealand trainees to be placed in Switzerland. Trainees shall be selected by the authority in their home country mentioned in Article 11 on the basis that trainees shall upgrade their relevant language skills.

## Article 5

Subject to Article 7, the length of the training period shall normally be one year but may during that period, upon agreement between the authorities mentioned in Article 11, be extended to up to 18 months.

## Article 6

Trainees shall not take up their employment until the authorities of the host country mentioned in Article 11 are satisfied that the remuneration and other terms and conditions of employment of the trainees:

- (a) comply in all respects with applicable collective agreements and labour laws in the host country;  
and
- (b) are adequate for each trainee.

## Article 7

Should a dispute occur at the place of employment of a trainee and be of such a nature as to prevent the objectives of the training from being met, the authority of the host country mentioned in Article 11 shall provide appropriate assistance with a view to facilitating disputes settlement. If the dispute remains unsettled, the authority may, after consulting the parties concerned and subject to the trainee's contract of employment and any applicable provisions of collective agreements or labour laws of the host country, seek suitable alternative employment for the trainee or, if suitable alternative employment cannot be found and after notifying the authority in the other country, require the trainee to return to the home country.

## Article 8

Trainees shall ensure, in consultation with their employers and the authorities mentioned in Article 11, that they are adequately covered by accident and health insurance. If necessary, trainees shall take out private insurance.

Article 9

- (a) The number of trainees to be admitted by either country in the first calendar year of operation of the trainee exchange scheme shall be determined by mutual agreement. For each of the second and subsequent calendar years of the scheme, the annual quota of trainees admitted by each country should not exceed 20. Trainees already residing in the territory of the other country on 1 January of any year shall not be included in the quota for that year.
- (b) The yearly quota may be filled without regard to the duration of training authorised in the course of the previous year.. If one country is unable to fill its quota in the course of any one year, that country can neither reduce the number of trainees which the other country is entitled to send to it for that year nor carry forward to the following year the unused balance of its quota.
- (c) The quota shall be reduced in order that a similar number of trainees is exchanged between the two countries on the proposal of either country submitted to the other country and, if the proposal is submitted before 1 July of any year, the reduced quota shall apply from the following year. The two countries may agree to modify the quota for any other reason and, if a proposal to this effect submitted by one country to the other country is mutually agreed before 1 July of any year, the modified quota shall apply from the following year.

- (a) Persons wishing to participate in the trainee exchange scheme are required to submit an application to that effect to the authority in their home country mentioned in Article 11. They are required to furnish with their application all the information required and, in particular, to state the name and address of their proposed employer in the host country (if known) as well as to indicate the type of the proposed employment.
  
- (b) The authority in the home country shall consider whether the application should be transmitted to the corresponding authority in the other country, having regard to the annual quota of trainees, the distribution of trainees within the limits of the quota among different occupations, and any other considerations, particularly language skills, relevant to the participation of each trainee in the trainee exchange scheme.
  
- (c) If any applicant trainees have not already found employment in the host country on their own initiative, the authority of the host country shall, at the request of the authority in the home country, render assistance in trying to find employment for those trainees.

Article 11

The Federal Office for Industry and Labour, CH-3003, Berne, Switzerland and the Department of Labour, Wellington, New Zealand, shall transmit directly to each other applications by persons who they decide qualify for places in the trainee exchange scheme.

Article 12

The competent authorities of both countries shall make every effort to ensure that applications are processed in the shortest possible time. They shall also endeavour to resolve as quickly as possible any difficulties which arise over the entry and stay of trainees.

Article 13

The provisions of this Agreement shall have effect for the Cook Islands, Niue and Tokelau after the expiration of one month from the date of notification by the Government of New Zealand to the Government of Switzerland that the Agreement shall be applied to these territories.

Article 14

(a) This Agreement shall come into force on 1 May 1984 and shall remain in force for one year. Thereafter, it shall continue in force year by year unless either Contracting Party to the Agreement gives notice of termination at least six months before the end of any calendar year.

(b) In the event of notice being given of termination of this Agreement, authorisations already granted under the Agreement shall be valid for the period for which they were granted.

Done at Wellington on 28 of June 1984,  
in two originals, in the English and German languages,  
both texts being equally authentic.

For Switzerland:  
On behalf of the Federal  
Office for Industry and  
Labour:

.....*M. Frober*.....

For New Zealand:

.....*G. J. Green*.....