

**No. 45765**

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**South Africa  
and  
Switzerland**

**Agreement between the Government of the Republic of South Africa and the Swiss  
Federal Council concerning the exchange of trainees. Bern, 15 June 1998**

**Entry into force:** *15 June 1998 by signature, in accordance with article 10*

**Authentic texts:** *English and German*

**Registration with the Secretariat of the United Nations:** *South Africa, 2 February  
2009*

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**Afrique du Sud  
et  
Suisse**

**Accord entre le Gouvernement de la République sud-africaine et le Conseil fédéral  
suisse relatif à l'échange de stagiaires. Berne, 15 juin 1998**

**Entrée en vigueur :** *15 juin 1998 par signature, conformément à l'article 10*

**Textes authentiques :** *anglais et allemand*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Afrique du Sud, 2 février  
2009*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT**

**BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA**

**AND**

**THE SWISS FEDERAL COUNCIL**

**CONCERNING**

**AN EXCHANGE OF TRAINEES**

The Government of the Republic of South Africa and the Swiss Federal Council (hereinafter jointly referred to as the "Parties" and in the singular as a "Party");

RECOGNISING the special importance of cooperation and good relations between the two countries with regard to exchanging young professionals;

HEREBY AGREE as follows :

#### ARTICLE 1

- (1) This Agreement shall apply to the exchange of South African and Swiss citizens of both sexes, hereinafter referred to as "trainees", who take up employment in the country of the other party in their professional field for a limited period of time to further their professional and language skills.
- (2) Trainees may be employed in all professions in which there are no legal restrictions on their pursuit by foreigners.
- (3) In the case of professions, the pursuit of which requires special permission, such permission must be obtained before admittance to such profession.

#### ARTICLE 2

The minimum age for trainees shall be 18 years and they shall not, as a rule, have passed the age of 35. They shall have completed their professional training.

### ARTICLE 3

- (1) Temporary residence permits shall, as a general rule, on application be granted for an initial period of 12 months, but may be extended for a period of not more than 6 months. Contracts of employment shall be concluded in accordance with these limitations.
- (2) The necessary temporary residence permits shall be granted in accordance with the domestic law of the Party granting such permits.
- (3) Applications, along with all the necessary particulars, shall be submitted to the authority in the trainee's home country responsible for implementing this Agreement. This authority shall check whether the application satisfies the necessary requirements before transmitting it to the authorities in the country of the other Party as soon as possible.
- (4) On application for temporary residence permits, the usual permit fee shall be payable.

### ARTICLE 4

The temporary residence permits granted within the framework of the quota referred to in subarticle (1) of Article 7 shall be granted independently of the labour market situation in the host country.

### ARTICLE 5

Trainees shall not be permitted to exercise any gainful activity or accept any employment other than that for which

the permit was granted: Provided that in substantiated cases, the competent authority of the Party granting the permit may authorize a change of employment.

#### ARTICLE 6

- (1) The rights and obligations as regards living, working and salary conditions of trainees shall be in accordance with the domestic law in force in the host country.
- (2) The trainees' remuneration shall be taxed in accordance with the domestic law in force in the host country.
- (3) The conditions of employment agreed with the employer shall be in accordance with the domestic law in force in the host country.
- (4) Unless agreed otherwise, the cost of travel and accommodation shall be borne by the trainee.

#### ARTICLE 7

- (1) The number of trainees permitted by each of the Parties shall not exceed 50 in any calendar year.
- (2) This quota may be utilized to the full, irrespective of the number of trainees already present in the host country under the present Agreement.
- (3) Should the quota referred to in subarticle (1) not be utilized to the full by either Party, the other Party