

Agreement between the Republic of Austria and the Republic of Malta on the representation of the Republic of Malta by Austrian consular authorities in granting visa for transit and short stay

Article 1

The Republic of Austria represents the Republic of Malta within the framework of this agreement in granting visa for transit through and short stay in the Republic of Malta. The Austrian consular authorities acting within the framework of this agreement will be designated by an implementing agreement between the Ministry of Foreign Affairs of the Republic of Malta and the Federal Ministry for Foreign Affairs of the Republic of Austria. The representation can only be carried out after the respective host country has agreed hereto.

Article 2

When granting Maltese visa in the framework of this agreement Austrian legislation as well the respective EU legislation is applicable, provided that the interests of the Republic of Malta as formulated in Article 3, are respected. If the conditions for granting a visa are not fulfilled, the applicant will be referred to the locally responsible Maltese authority.

Article 3

The Austrian consular authorities are entitled, within the framework of this agreement, to make direct consultations with the Ministry of Foreign Affairs of the Republic of Malta. The Ministry of Foreign Affairs of the Republic of Malta will inform the respective Austrian consular authority the soonest possible, whether or not there are reasons for the refusal of granting a visa. These opinions have the character of a recommendation.

Article 4

The Austrian consular authorities acting in the framework of this agreement will report quarterly on the performance of this agreement to the Ministry of Foreign Affairs of the Republic of Malta.

Article 5

The Republic of Austria, in processing Maltese visa applications will be as cautious as in processing Austrian visa applications. The Republic of Austria bears no liability towards the Republic of Malta for the activities carried out in the framework of this agreement.

Article 6

This agreement is subject to approval according to the national legislation of either contracting party. It will enter into force on the first day of the third month after the contracting parties notified each other in writing, through diplomatic channels, that the national preconditions for the entering into force are fulfilled, but not before the day of accession of the Republic of Malta to the European Union.

Article 7

This agreement is concluded for an unlimited period and can be terminated any time in writing through diplomatic channels by either contracting party. In case of termination, the agreement remains valid for ninety (90) days following the receipt of the notice of termination by the other contracting party.

Article 8

Each contracting party may, without stating any reason, suspend the agreement at any time as a whole, or part of it. The suspension or the lifting of the suspension is to be notified to the other contracting party through diplomatic channels and shall enter into force on the first day of the month following the notification of suspension or lifting of suspension.

Done in Valletta the 7th May 2004, in two copies each in the German and English languages, both versions being equally authentic.

For the
Republic of Austria :
(Dr. Johannes Kyrle)

For the
Republic of Malta:
(Gaetan Naudi)