

K oznámeniu č. 167/2010 Z. z.

AGREEMENT

BETWEEN THE GOVERNMENT OF THE SLOVAK REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA ON THE GAINFUL OCCUPATION OF DEPENDENTS OF MEMBERS OF DIPLOMATIC MISSIONS AND CONSULAR POSTS

Article 1

The Government of the Slovak Republic and the Government of the Republic of Slovenia (hereinafter "Parties") accept that, on the basis of reciprocity, dependents of accredited employees of the sending State assigned to official duty in the receiving State as members of a diplomatic mission or of a consular post, may obtain a gainful occupation in the receiving State.

Article 2

For the purpose of this Agreement:

1. "employee(s)" means diplomatic agents and members of the administrative and technical staff at diplomatic missions, and the consular officers and consular employees attached to consular posts in the receiving State.
2. "dependent(s)" means:
 - (a) spouses and common-law partners.
 - (b) unmarried dependent children of employees under 19, or under 25 years of age in full-time attendance as students at a post-secondary educational institution; and
 - (c) unmarried dependent children of employees who are physically or mentally disabled.

Article 3

1. No restrictions are placed on the type of gainful occupation that may be undertaken. However, in professions where particular qualifications are required, it is necessary for the dependent to meet those qualifications.

2. The possibility to accept gainful occupation may be restricted in cases where, for security reasons, only nationals of the receiving State may be employed.

3. The validity of the Certificate issued in accordance with Article 4 paragraph 2 of this Agreement will be terminated at the end of the assignment of the employee.

Article 4

1. Before a dependent may accept gainful occupation in the receiving State, the diplomatic mission of the sending State will make an official

request to the Protocol Division of the Ministry of Foreign Affairs of the receiving State.

2. Upon verification that the person in question falls within the categories defined in this Agreement, and after observing applicable domestic procedures, the Protocol Division will promptly and officially inform the diplomatic mission that the person may obtain a gainful occupation after fulfilment of legal requirements in accordance with the applicable national legislation of the receiving State, including issuing the work permit, if necessary.

Article 5

1. For dependents who obtain gainful occupation under this Agreement and who have immunity from the jurisdiction of the receiving State in accordance with the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations, immunity from civil and administrative jurisdiction with respect to all matters arising out of such gainful occupation is hereby irrevocably waived by the sending State.

2. In the event that a dependent who has immunity from criminal jurisdiction in accordance with the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations is accused of a criminal offence committed in relation to his or her gainful occupation, the sending State will give serious consideration to any written request that may be submitted by the receiving State for the waiving of such immunity.

Article 6

Dependents obtaining gainful occupation under this Agreement shall be subject to the fiscal and social security regimes of the receiving State for all matters in connection with their gainful occupation in that State.

Article 7

The Agreement shall enter into force on the date of the last notification through diplomatic channels, regarding the fulfilment by the Parties of all the necessary internal procedures for its entry into force.

Article 8

The Agreement shall be concluded for an indefinite period. Either Party may terminate it at any time by

giving ninety (90) days notice in writing to the other Party.

Done at Bled on 30. August 2009 in two originals in the English language.

For the Government of the
Slovak Republic:

Miroslav Lajčák

For the Government
of the Republic of Slovenia:

Samuel Žbogar

