

**AGREEMENT
BETWEEN
THE AUSTRIAN FEDERAL GOVERNMENT
AND
THE GOVERNMENT OF THE REPUBLIC OF INDIA
ON VISA EXEMPTION FOR THE HOLDERS OF DIPLOMATIC PASSPORTS OF
THE REPUBLIC OF AUSTRIA AND THE HOLDERS OF DIPLOMATIC
PASSPORTS OF THE REPUBLIC OF INDIA**

The Austrian Federal Government and the Government of the Republic of India (hereinafter referred to singularly as “Contracting Party” and collectively as the “Contracting Parties”), desiring to facilitate the entry of holders of diplomatic passports of the Republic of Austria and of holders of diplomatic passports of the Republic of India into their respective countries, have agreed as follows:

Article 1

(1) Austrian nationals, who are holders of a valid diplomatic passport, shall not be required to obtain a visa to enter into the territory of the Republic of India for a period which does not exceed 90 (ninety) days within a 180 (one hundred and eighty) days period counted from the date of entry.

(2) Indian nationals, who are holders of a valid diplomatic passport, shall not be required to obtain a visa to enter into the territory of the Republic of Austria for a period which does not exceed 90 (ninety) days within a 180 (one hundred and eighty) days period, counted from the day of entry into either the territory of the Republic of Austria or the territory of any other State to which the Schengen Convention of 19th of June 1990 implementing the Agreement of Schengen of 14th of June 1985 on the gradual abolition of checks at their common borders is applicable.

(3) Holders of a valid diplomatic passport of the Republic of Austria and holders of a valid diplomatic passport of the Republic of India may enter into and depart from the territory of the other Contracting Party at any point authorised for that purpose by the competent immigration authorities, without any restriction except for those stipulated in the security, migratory, customs, sanitary entry- and other provisions which may be legally applicable to holders of such valid passports.

(4) The duration of validity of the diplomatic passport of nationals of either Contracting Party shall be at least 6 (six) months on the day of entry into the territory of the other Party.

Article 2

(1) The provisions of Article 1 of this Agreement do not apply to holders of a valid diplomatic passport of either Contracting Party who are accredited or designated as staff members of diplomatic or consular mission or of international organisations located in the territory of the other Contracting Party.

(2) The provisions of Article 1 of this Agreement do not apply to persons, who are planning to stay in the territory of the other Party for a period longer than the one stated in Article 1, or intending to take up an employment there.

(3) Persons referred to in paragraphs 1 and 2 shall be required to obtain a visa prior to the entry into the territory of the other Contracting Party in accordance with the national legislation.

(4) The conditions referred to in paragraphs 1 and 3 shall also apply to the dependents of passport holders referred to in Paragraph 1 who are holders of a valid diplomatic passport.

Article 3

(1) The Contracting Parties shall exchange, through diplomatic channels, samples of the passports according to Article 1 of this Agreement used by either Contracting Party within 30 (thirty) days after the signing of this Agreement; and either Party shall provide to the other Contracting Party the sample of any new or changed diplomatic passport within at least 30 (thirty) days before issuing such passports.

(2) Both Contracting Parties shall duly inform each other about any modification introduced in their respective national laws and regulations related to passport issuance.

(3) If a national of either Contracting Party loses his/her valid diplomatic passport referred to in Article 1 of this Agreement in the territory of the other Contracting Party, he/she shall inform the competent authorities of the receiving Contracting Party. The diplomatic mission or consulate concerned shall issue a new passport or travel document to the aforementioned national and inform the competent authorities of the receiving Contracting Party.

Article 4

(1) This Agreement does not exempt nationals of either Contracting Party from the obligation to respect the laws and regulations of the other Contracting Party concerning the entry, stay and exit of foreigners.

(2) Both Contracting Parties reserve the right to refuse admission to or shorten the stay of persons considered undesirable or endangering public peace, order, health or national security.

(3) Nothing in this Agreement shall be construed as affecting the rights and obligations set out in the Vienna Convention on Diplomatic Relations of 18 April 1961 or the Vienna

Convention of Consular Relations of 24 April 1963 or other obligations of international law, especially in host country agreements with international intergovernmental organisations.

Article 5

(1) Either Contracting Party may suspend this Agreement, for reasons of public order, national security or public health. The suspension as well as its termination shall be immediately notified to the other Contracting Party through diplomatic channels. The suspension or termination of this Agreement shall not affect the rights of nationals of either Contracting Party who have already entered the territory of the other Contracting Party.

(2) Either Contracting Party may request in writing, through diplomatic channels, a revision or amendment of the whole or part of this Agreement. Any revision or amendment, which has been agreed to by the Contracting Parties, shall enter into force on a date to be mutually agreed upon and shall accordingly form part of this Agreement.

(3) Any difference or dispute arising out of the implementation of the provisions of this Agreement shall be settled amicably by consultation or negotiation between the Contracting Parties.

Article 6

(1) This Agreement shall enter into force on the first day of the second month following the month in which the Parties have informed each other through diplomatic channels that all requirements for entry into force of this Agreement as stipulated by their respective national laws have been met.

(2) Either Contracting Party may terminate this Agreement at any time by giving to the other Contracting Party written notice of termination, through diplomatic channels. In this case the Agreement will be terminated three months after reception of the notification of termination.

DONE at (place) on this (date) day of (month), in the year (year), in two originals, each in German, Hindi and English language, all texts being equally authentic.

In case of discrepancies in interpretation of the provisions of the present agreement, the English text shall be the operative one.

For the Austrian Federal Government:

For the Government of the Republic
of India