

**AGREEMENT BETWEEN THE FEDERAL MINISTER FOR EUROPEAN AND
INTERNATIONAL AFFAIRS OF THE REPUBLIC OF AUSTRIA AND THE MINISTER
FOR FOREIGN AFFAIRS OF THE REPUBLIC OF HUNGARY ON THE MUTUAL
REPRESENTATION IN PROCESSING VISAS**

The Federal Minister for European and International Affairs of the Republic of Austria and the Minister of Foreign Affairs of the Republic of Hungary,

recalling the trustful cooperation between the Austrian and Hungarian consular services;

with reference to the Agreement between the Republic of Austria and the Republic of Hungary on the mutual representation by their diplomatic and consular missions in processing visas of 6 March 2007;

considering Articles 3 and 4 of the Agreement between the Federal Minister of Foreign Affairs of the Republic of Austria and the Minister of Foreign Affairs of the Republic of Hungary on the cooperation at foreign representations of 20 December 2005;

acknowledging the fact that simplification of visa application is the common interest of both countries;

in view of community achievements and drafts concerning cooperation in the field of visa issuance;

considering the fact that Hungary will be a full member of the Schengen Agreement;

have agreed as follows:

Article 1

Framework of the mutual representation in processing visa application

Both Parties agree that Austria and Hungary shall represent each other in processing visas according to the relevant EU Acquis - especially the Schengen Common Consular Instructions (CCI) - upon request of the other Party in places where only one Party has a consular representation which is in the position to process Schengen visas.

These requests shall be made through diplomatic channels and be thoroughly evaluated by the other Party. If the circumstances allow it the requested Party shall follow this request and answer via diplomatic channels.

Article 2

The activities in representation and its organisation

1. The main activity in representation is the processing of applications for “A”, “B” and “C” visas according to the relevant EU Acquis. This includes:
 - submission of the application including all necessary documentation,
 - screening of the application,
 - processing of data according to Article 3 of this Agreement,
 - decision whether a visa shall be issued or not and
 - handing out of the passports.
2. If the representing Party is not in the position to issue a visa, the applicant's documents shall be returned to him or her except for the application form and be referred to the competent diplomatic or consular post of the represented Party.
3. The application fee is non-refundable and shall be paid by the applicant according to Annex 12 of the CCI directly to the representing post. The representing post will keep this fee in compensation for its efforts. No further money transfer is foreseen.

Article 3

Registration of data and data protection

The representing Party shall capture and register all necessary data according to the relevant EU Acquis. When registering this data the representing Party observes its national and EU data protection provisions.

Article 4

Mutual representation in specific diplomatic and consular posts

1. As of the date mentioned in Article 5 paragraph 1 Hungary will represent Austria according to this Agreement in Chisinau and Austria will represent Hungary in Addis Ababa, Dakar, Harare and Muscat.
2. Upon notification of the beginning of the visa administration in the Austrian Embassy in Astana, Austria will represent Hungary in Astana and Hungary will represent Austria in Almaty according to this Agreement.

Article 5

Final provisions

1. This Agreement is concluded for an unlimited period and enters into force on the day Hungary commences to fully apply the Schengen Acquis.
2. This Agreement replaces Articles 2 paragraph 1, Article 5 paragraph 5, 6 Article 6, and Article 7 of the Agreement between the Federal Minister for European and International Affairs of the Republic of Austria and the Minister of Foreign Affairs of the Republic of Hungary on the representation of the Republic of Austria in processing visas by the Embassy of the Republic of Hungary in Chisinau.
3. This Agreement shall be terminated upon termination of the Agreement between the Republic of Austria and the Republic of Hungary on the mutual representation by their

diplomatic and consular missions in processing visas or may be terminated by either Party at any time in writing, communicated through diplomatic channels. In case of termination by either Party, the Agreement remains in force for thirty (30) days following the receipt of the notice of termination by the other Party.

4. Issues related to the interpretation or the implementation of this Agreement shall be resolved by the Parties through negotiations.

Done in Budapest on the 29th of November 2007 in two copies in the English language.

The Federal Minister for European and
International Affairs of the Republic of
Austria



The Minister for Foreign Affairs
of the Republic of
Hungary

