

**ACCORD BETWEEN
THE GOVERNMENT OF THE KINGDOM OF SPAIN
AND THE GOVERNMENT OF AUSTRALIA
ON THE YOUTH
MOBILITY PROGRAMME**

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SPAIN AND THE GOVERNMENT OF AUSTRALIA ON THE YOUTH
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The Government of the Kingdom of Spain and the Government of Australia, hereinafter referred to as «the Parties»,

Wishing to strengthen mutual knowledge and understanding through an increase of opportunities for young citizens from both countries to enjoy vacation periods in the other Party which include work experiences;

Considering it will be beneficial for the Parties to facilitate the launch of a youth mobility programme for young citizens to deepen their life experiences, practise foreign languages and also gain work experience.

Have jointly decided on the following:

I. Purpose of this Accord

CLAUSE 1

1.1 The purpose of this Accord is to establish the Youth Mobility Programme (the Programme) between the Parties for young citizens from both countries.

1.2 The purpose of travel by participants in the Programme can be tourism or gaining a personal or professional experience.

II. Commitments of the Government of Australia

CLAUSE 2

2.1 Subject to Clause 3, the Government of Australia, through its Department of Immigration and Border Protection, and following an application by a citizen of the Kingdom of Spain, will issue within the maximum limit set in Clause 3, a temporary multiple-entry visa, valid for a period of twelve (12) months from the issue date to any person who:

- (a) is a citizen of the Kingdom of Spain;
- (b) declares that the purpose of their trip to Australia is that established in Clause 1.2.
- (c) is between the ages of eighteen (18) and thirty (30) inclusive on the date the application is submitted;
- (d) is not accompanied by dependent children;
- (e) holds a Spanish passport;
- (f) holds a return ticket or sufficient funds to purchase it;
- (g) possesses sufficient funds for personal support during their proposed stay in Australia, as stipulated by the Department of Immigration and Border Protection;
- (h) pays the stipulated visa application fee;
- (i) has a medical insurance policy including hospitalization for the entire period of their stay in Australia, subject to the laws of Australia;
- (j) meets the health and character requirements imposed by Australia;
- (k) has not previously taken part in the Programme;
- (l) possesses a functional level of English;
- (m) has successfully completed at least two years of higher education; and
- (n) is in possession of a letter of support issued by relevant government ministry of Spain

CLAUSE 3

3.1 The Government of Australia will issue every year up to 500 temporary multiple-entry visas under Clause 2 to citizens of the Kingdom of Spain.

3.2 The Government of Australia may issue more temporary multiple-entry visas under this Accord than the amount stated in clause 3.1. Any increase in the number of temporary multiple-entry visas issued annually under this clause will be deemed to comply with the conditions of this Accord without requiring amendments to this Accord.

3.3 The Government of Australia will notify the Government of the Kingdom of Spain through the diplomatic channel of any increase, under clause 3.2, in the number of temporary multiple-entry visas issued annually.

CLAUSE 4

4.1 Any citizen of the Kingdom of Spain who holds a temporary multiple-entry visa issued in accordance with Clause 2 and who has been granted permission to enter Australia will be allowed to stay in Australia for a period no longer than twelve (12) months from the date of first entry into Australia and to undertake work, paid or unpaid, as stated by the terms and conditions of this Accord.

CLAUSE 5

5.1 The Government of Australia will require all citizens of the Kingdom of Spain who have entered Australia through the Programme in accordance with this Accord to comply with Australian laws and regulations and to not undertake any work which is contrary to the purpose of this Programme.

5.2 Citizens of the Kingdom of Spain taking part in the Programme in accordance with this Accord will be allowed to undertake work for a maximum of twelve months during their stay in Australia and will not be allowed to work for the same employer for a period longer than six (6) months during their stay, unless they are expressly authorised to do so by the Department of Immigration and Border Protection.

5.3 Citizens of the Kingdom of Spain taking part in this Programme will be permitted to engage in one or more courses of study or training for a total period of no longer than four (4) months during their visit to Australia.

III. Commitments of the Government of the Kingdom of Spain

CLAUSE 6

6.1 Subject to Clause 7, the Government of the Kingdom of Spain, through the Consular Section of its Embassy in Canberra, or any other Consular Office in justified cases for exceptional reasons, and following an application by a citizen of Australia will issue within the quota established in Clause 7 a visa in accordance with this Accord to permit entry into Spain and process the corresponding Foreigner ID Card to any person who:

- (a) is a citizen of Australia;
- (b) declares that the purpose of their proposed trip to Spain is that established in Clause 1.2.
- (c) is between the ages of eighteen (18) and thirty (30) inclusive on the date the application is submitted;
- (d) is not accompanied by dependents;
- (e) holds an Australian passport valid for a period longer than that of their proposed stay in Spain;
- (f) holds a return ticket or sufficient funds to purchase it;

- (g) possesses sufficient funds for personal support during the stay in Spain, at the discretion of the competent authorities;
- (h) pays the stipulated visa application fee;
- (i) has a medical insurance policy including hospitalization cover for the entire period of stay, prior to entering Spain;
- (j) meets the health and character requirements imposed by the Kingdom of Spain;
- (k) has not previously taken part in the programme;
- (l) possesses a functional level of Spanish;
- (m) has successfully completed at least two years of higher education;
- (n) is in possession of a letter of support issued by the Department of Immigration and Border Protection; and
- (o) meets the conditions imposed by Spanish immigration laws and regulations, in particular the conditions applicable to admission to Spain, regardless of the status of the national labour market;

6.2 Australian citizens benefiting from this Accord through a long-term visa issued by the Ministry for Foreign Affairs and Cooperation will be authorised to work as employees in Spain for the authorised period of their stay, not requiring any other administrative process and regardless of the national employment status. Such persons will receive, together with said visa, assistance to obtain the corresponding foreigner identification number (NIE). In any case, the visa issued in accordance with this Accord confirms the legal situation in Spain until its validity expires, without the need to apply for and obtain the foreigner identification card.

CLAUSE 7

7.1 The Government of the Kingdom of Spain will issue every year up to 500 visas to Australian citizens under Clause 6.

7.2 The Government of the Kingdom of Spain may issue more visas under this Accord than the amount stated in the clause 7.1. Any increase in the number of visas issued annually under this clause will be deemed to comply with the conditions of this Accord and without requiring formal amendments to this Accord.

7.3 The Government of the Kingdom of Spain will notify the Government of Australia through the diplomatic channel any increase under clause 7.2 in the number of visas issued annually.

CLAUSE 8

8.1 Any citizen of Australia who holds a visa issued in accordance with Clause 6 of this Accord will be able to apply for the Foreigner ID Card within a month after entering the Kingdom of Spain, which will allow him/her to work during his/her stay in the territory of the Kingdom of Spain for a period no longer than twelve (12) months from the date of entry into the Kingdom of Spain. The Government of the Kingdom of Spain will permit such persons to undertake paid work in accordance with the provisions of this Accord.

CLAUSE 9

9.1 The Government of the Kingdom of Spain will require all citizens of Australia who have entered the Kingdom of Spain through the Programme in accordance with this Accord to comply with the laws and regulations of the Kingdom of Spain and to not undertake any work which is contrary to the purpose of this Programme.

9.2 Citizens of Australia taking part in the Programme in accordance with this Accord will receive the administrative authorisation to work for a period no

longer than twelve (12) months in the Kingdom of Spain, regardless of the national employment status; and will not be allowed to work for the same employer for a period longer than six (6) months during their stay unless expressly authorised to do so by the Government of the Kingdom of Spain.

9.3 Citizens of Australia taking part in the Programme will be permitted to engage in one or more courses of study or training for a total period of no longer than four (4) months during their visit to the Kingdom of Spain.

IV. General Provisions

CLAUSE 10

10.1. Notwithstanding Clause 6.1, each Party may specify the method and place of lodgement, if other than the respective Party's Embassy, for Work and Holiday visa applications by nationals of the other Party to participate in this program.

10.2 Either Party may, in accordance with its own laws and regulations, reject any particular application received, deny entry in its territory or order expulsion or deportation from it, of anybody who does not comply with the laws and regulations of the said country.

10.3 The Parties will readmit their nationals participating in this Program who have no lawful basis to remain in the territory of the other Party. For this purpose, one Party will provide the other party the necessary consular cooperation, in particular, to determine, if necessary, the identity and nationality of their nationals participating in this Program.

10.4 Compliance with national legislation of the Parties will be the basic principle while implementing cooperation outlined in this Clause.

CLAUSE 11

11.1 Either Party may, at any time, request consultations through the diplomatic channel about the provisions and the application of this Accord. The consulted Party will reply to such requests within sixty (60) days.

CLAUSE 12

12.1 Each Party will notify the other through the diplomatic channel of the fulfilment of its domestic requirements for the entry into effect of this Accord.

12.2 This Accord will enter into effect on:

- (a) the date that the Parties mutually determine and notify to each other in writing through the diplomatic channel, which, in any case, will be after the fulfilment of domestic procedures for its entry into effect; or
- (b) the first day of the month following the month when the Parties have notified each other in writing through the diplomatic channel that their domestic procedures for the entry into effect of this Accord have been complied with. This Accord will remain in effect unless terminated in accordance with Clause 13.

12.3 Notwithstanding the provisions of clauses 12.1 and 12.2, this Accord will be provisionally applied from the day of its signature.

CLAUSE 13

13.1 Either Party may at any time terminate this Accord by giving three (3) months prior notice to the other Party through the diplomatic channel.

13.2 Either Party may temporarily suspend this Accord, in its entirety or part thereof, for reasons of public security, public order, public health or immigration risk. Any suspension of this kind and the date when it will be effective will be notified to the other Party through the diplomatic channel.

13.3 Any termination and suspension of this Accord under clause 13.1 or 13.2 will not affect the status of those citizens with visas already granted under this Accord at the time that the termination or temporary suspension comes into effect.

CLAUSE 14

14.1 This Accord may be amended at any time with the written mutual consent of both Parties, expressed through exchange of diplomatic notes.

14.2 Such amendments will take effect on the date of receipt of the last notification.

In witness whereof, the signatories below, duly authorised for this purpose by their respective Governments, sign this Accord.

Signed in duplicate at Canberra on the 3th of September 2014 in the Spanish and English languages, both texts having equal validity.

FOR THE KINGDOM OF SPAIN

FOR AUSTRALIA

José Manuel García-Margallo y Marfil
Minister of Foreign Affairs and
Cooperation of Spain

Scott Morrison
Minister for Immigration & Border
Protection