

AUSTRIAN EMBASSY

KONS_0076_2012

NOTE VERBALE

The Austrian Embassy in Oslo presents its compliments to the Royal Norwegian Ministry of Foreign Affairs and has the honour to propose to agree on the following: Norway shall represent Austria in matters concerning handling of applications for all types of visas at the following consular posts:

Asmara (Eritrea)

The basis for this agreement is the Regulation (EC) No 810/2009 of the European Parliament and of the Council of the 13 July 2009 establishing a Community Code on Visas (hereinafter; EU Visa Code) and the Visa Code Handbook as well as what is stated in this agreement.

The practical conditions of implementation of this agreement may be agreed upon informally.

The competent Austrian Authority is the Austrian Embassy in Cairo (herein after: Austrian Embassy). A list¹ containing address, telephone and fax numbers, e-mail addresses and contact persons at the Austrian Embassy is attached. Any change in the contact details will be communicated in writing.

If the Embassy of Norway in Asmara, (hereinafter: the Embassy) finds that all the conditions for issuing a visa are met in accordance with the EU Visa Code, the Embassy shall issue a visa.

¹ List will not be published.

If the Embassy does not have, and cannot obtain, the necessary information about the applicant/hosts or the purpose of the visit, or if the Embassy finds that a visa shall not be issued, or if the Embassy is in doubt whether or not a visa shall be issued, the application shall be submitted by e-mail to the Austrian Embassy in accordance with article 8 (2) of the EU Visa Code for them to take the final decision on the application within the time limits set by art. 23 in the EU Visa Code. When submitting an application the Embassy shall state the reasons leading to the submission.

When submitting an application the Embassy shall forward all the information in the Common Schengen Application Form. Unless otherwise agreed upon, the following shall normally be forwarded together with application: a copy of the data-page of the travel document and any appropriate documents supporting the purpose and the conditions of the planned visit, cfr. the EU Visa Code.

The Austrian Embassy shall, if possible, try to obtain necessary additional information from the applicant's references in Austria, but can, if necessary, ask the Embassy to gather supplementary information required for handling the application.

If the Austrian Embassy decides to grant a visa, the Embassy shall be authorized to issue a visa.

If the Austrian Embassy decides to grant a visa with certain limitations compared to what has been applied for, or if the visa is issued with certain conditions or obligations for the applicant to fulfil, the Embassy shall be informed, specifying the category of visa, the number of days and entries, expiration date and, if applicable, if there are certain obligations or conditions on which the visa is granted. The decision shall contain the reasons for this partial refusal. The conditions and obligations - except those directly covered by the EU Visa Code – shall be of such a nature that the Embassy shall have no obligation to control if they are respected. The decision shall formally be addressed to the applicant in English so that it can be handed over to the applicant without further formalities.

If the Austrian Embassy decides that a visa cannot be granted, the Embassy shall be informed. The refusal shall be submitted in writing and shall contain the grounds on which the decision has been made and the procedure for appeal. The decision shall formally be addressed to the applicant in English so that it can be handed over to the applicant without further formalities.

No visa with limited territorial validity (LTV) can be issued without authorization from the Austrian Embassy. This does not, however, apply if the limitation is solely due to the fact that not all Schengen Member States recognize the travel document, unless it is Austria that does not recognize the travel document.

Norway shall, after a specific or general request, inform Austria regarding the visas that have been issued.

Fees for visa applications are to be charged in accordance with the Schengen Acquis. Norway is entitled to all visa fees. Besides from that Austria shall not give any financial compensation to Norway for handling the visa applications.

If the Minister of Foreign Affairs of Norway agrees to this proposal, the Austrian Embassy has the honour to propose that this Note and the Ministry's Note of confirmation shall constitute an agreement between the Austrian Federal Minister for European and International Affairs and the Minister of Foreign Affairs of Norway which shall enter into force on 16th of April 2012 or, if the confirmation Note is received after this date, on the first day of the first month following the date of receipt of the confirmation Note by the Austrian side and can be suspended by each side or be cancelled immediately by a verbal note.

The Austrian Embassy avails itself of this opportunity to renew to the Royal Norwegian Ministry of Foreign Affairs the assurance of its highest consideration.

Oslo, April 12, 2012

L.S.

The
Royal Ministry of Foreign Affairs

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