

No. 26927

**AUSTRIA
and
FEDERAL REPUBLIC OF GERMANY**

**Agreement concerning minor frontier traffic (with annexes).
Signed at Bonn on 15 September 1954**

Authentic text: German.

Registered by Austria on 22 November 1989.

**AUTRICHE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord relatif au trafic frontalier local (avec annexes). Signé
à Bonn le 15 septembre 1954**

Texte authentique : allemand.

Enregistré par l'Autriche le 22 novembre 1989.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ CONCERNING MINOR FRONTIER TRAFFIC BETWEEN THE REPUBLIC OF AUSTRIA AND THE FEDERAL REPUBLIC OF GERMANY

The Austrian Federal Government and the Government of the Federal Republic of Germany,

Desiring to facilitate the movement of persons in the frontier areas,

Have concluded the following Agreement:

Article I

1. The frontier area, within the meaning of this Agreement, shall comprise:

In Austria: The administrative districts of Rohrbach, Schärding, Grieskirchen, Ried, Braunau, Salzburg-Land, Salzburg, Hallein, St. Johann, Zeil am See and those parts of the Federal Länder of Tyrol and Vorarlberg lying to the north of the line Feldkirch-Illtal-Bludenz-Klostertal-Arlbergpass-Stanzertal-Landeck-Oberinntal-Innsbruck-Unterinntal-Wörgl-Brixental-Kitzbühel-St. Johann i. T.-Fieberbrunn-Hochfilzen, including the communes of Feldkirch, Bludenz, Landeck, Innsbruck, Schwaz, Wörgl and Kitzbühel;

And in the territory of the Federal Republic of Germany: The rural (urban) districts of Wolfstein, Wegscheid, Passau, Griesbach, Pfarrkirchen, Altötting, Laufen, Berchtesgaden, Bad Reichenhall, Traunstein, Rosenheim, Bad Aibling, Miesbach, Bad Tölz, Garmisch-Partenkirchen, Füssen, Kempten, Sonthofen, Lindau, Tettnang, Überlingen, Stockach and Konstanz.

2. The frontier areas may subsequently be altered by mutual agreement between the Contracting Parties.

Article II

1. Austrian and German nationals permanently resident for six months in one of the frontier areas may be issued with a frontier card entitling them to enter the other frontier area.

2. Irrespective of the duration of their stay in the frontier area, Austrian and German nationals may be issued with a frontier card if they fall into one of the following categories:

(a) Persons who own or manage immovable property in the frontier area and persons resident in their household;

(b) Persons whose services are called upon in the other frontier area (for example doctors, midwives, clergymen);

(c) Persons whose place of employment is in the other frontier area;

(d) Public officials and employees serving in the frontier area and members of their families.

¹ Came into force on 1 October 1954 by an exchange of notes, in accordance with article XIV (1).

3. Children under the age of 16 years may be included in their parents' frontier card. If they cross the frontier without their parents, they must be in possession of their parents' card bearing their name. At the request of their legal representative, children under the age of 16 years may be issued with their own frontier card.

Article III

1. Persons who are neither Austrian nor German nationals may, with the approval of the issuing authorities, obtain a frontier card if they have been resident in the frontier area for six months and if they can prove that they need to cross the frontier for urgent professional or other cogent personal reasons.

2. The frontier card shall entitle the persons mentioned in paragraph 1 to cross the frontier only if it is countersigned by the competent authority of the neighbouring State. In such cases, the issuing authority shall, before delivering the frontier card, forward it via the frontier control posts to the authority of the neighbouring State for countersignature. Such countersigning shall be undertaken free of charge and, in the absence of objections, without delay. Countersigned frontier cards and those refused countersignature shall be returned as swiftly as possible via the frontier control posts to the issuing authorities.

Article IV

The Contracting Parties shall inform each other, within one week of the entry into force of the Agreement, of the authorities responsible for the issue and countersignature of frontier cards.

Article V

1. Persons who do not fulfil the conditions for obtaining a frontier card in accordance with articles II or III, and who do not possess either a frontier card or a passport, may be issued with a frontier pass.

2. The frontier pass shall be issued for not more than three days; it may not be renewed. It shall entitle the holder to cross the frontier in either direction at all authorized crossing points.

Article VI

1. Frontier cards and passes shall be issued in conformity with the models contained in annexes 1 to 6.

2. The frontier card may be issued for not more than one year and may be renewed three times for the same period.

3. The frontier card entitles its holder to cross the frontier repeatedly at any officially authorized crossing point and to stay on each occasion for not more than seven days in the frontier area of the neighbouring State without a special residence permit. Annex 7 contains a list of officially authorized frontier crossing points.

4. Where necessary in the interests of agriculture and forestry, the frontier may be crossed outside the officially authorized frontier points and a longer stay permitted. The frontier card shall be stamped accordingly.

5. All persons who can be issued with an official photographic identity document must carry that document when crossing the frontier.

6. Persons who cross the frontier in accordance with the terms of this Agreement shall be subject to the legislation, in particular the registration, customs and exchange regulations, in force in their place of sojourn.

7. The frontier cards of persons residing in the customs control area shall carry the notation “Z.G.B.”.

Article VII

Security and customs officers and staff of the public transport corporations and of public non-profit-making enterprises who have to cross the frontier on official business shall only be required to present a document officially confirming their position and duties.

Article VIII

Medical personnel, fire fighters, mountain guides and rescue teams may cross the frontier without a frontier document at any point to render assistance in the event of accidents and emergencies such as epidemics, conflagrations and natural disasters. These persons may stay in the neighbouring State only for the period during which assistance is rendered.

Article IX

1. Austrian and German nationals who may not be issued with a passport under their home country's passport regulations shall also be entitled to obtain a frontier card or a frontier pass. The persons mentioned in article III above may not obtain a frontier card or a frontier pass if circumstances relating to them exist that would warrant refusing a passport to a national of the State in which they live.

2. The issuing authorities shall withdraw the frontier card if the conditions justifying its issue cease to be fulfilled. In the event of abuse, the frontier card may be temporarily or permanently withdrawn. In such cases, the authority shall act either on its own initiative or in response to a request by the authority of the neighbouring State.

3. In the event of serious or repeated offences, the competent authorities and law enforcement officers on both sides may confiscate the frontier card forthwith. The authority that issued the confiscated frontier card shall be notified immediately and informed of the grounds for confiscation.

Article X

Persons who have been issued with a frontier card or a frontier pass shall be taken back by the State in which they obtained the document, even if the validity of the document has expired.

Article XI

Minor frontier traffic may be halted temporarily for reasons of public security or under extraordinary circumstances. In such cases, the frontier authorities of the neighbouring State shall, if possible, be given notice thereof three days before such action is taken.

Article XII

No charges shall be levied for crossing the frontier. The Contracting Parties shall, however, be at liberty to levy appropriate charges for the issue of frontier documents.

Article XIII

1. All other agreements concerning minor frontier traffic between Austria and the Federal Republic of Germany are hereby revoked.
2. This Agreement shall not affect transit road and rail traffic.

Article XIV

1. The date on which this Agreement enters into force shall be agreed on through an exchange of notes.
2. The Agreement may at any time be terminated by either of the Contracting Parties by the giving of six months' notice before the end of a calendar year.

Bonn, 15 September 1954

For the Austrian Federal Government:

ROTTER

For the Government of the Federal Republic
of Germany:

BERGER