

# EMPLOYMENT

## Agreement Between the UNITED STATES OF AMERICA and MALTA

Effectuated by Exchange of Notes  
Dated at Floriana September 25  
and October 3, 1991



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89-497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

“. . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

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# **MALTA**

## **Employment**

*Agreement effected by exchange of notes  
Dated at Floriana September 25 and October 3, 1991;  
Entered into force October 3, 1991.*

*The American Embassy to the Ministry of Foreign Affairs of  
Malta*

No. 54

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and has the honor to propose a United States – Malta work agreement as follows.

The Embassy of the United States proposes to the Ministry of Foreign Affairs of Malta that, on reciprocal basis, dependents of employees of the United States Government assigned to official duty in Malta and dependents of employees of the Maltese Government assigned to official duty in the United States be authorized to be employed in the receiving country.

For the purposes of this agreement,

“Dependents” shall include:

Spouses;

Unmarried dependent children under 21 years of age;

Unmarried dependent children under 23 years of age who are in full-time attendance as students at a post-secondary educational institution; and unmarried children who are physically or mentally disabled.

In the case dependents who seek employment in the United States, an official request must be made by the Embassy of Malta in Washington to the Office of Protocol in the Department of State. Upon verification that the person is a dependent of an official employee of the Maltese Government, the Maltese Government will be informed by the Office of Protocol that the dependent has permission to accept employment.

In the case of dependents who seek employment in Malta, the request shall be made by the United States Embassy in Malta to the Maltese Ministry of Foreign Affairs, which, after verification as above, shall then inform the United States Embassy that the dependent may accept employment.

The U.S. Government and the Maltese Government wish to clarify their understanding that dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving country in accordance with Article 31 of the Vienna Convention on diplomatic relations or in accordance with the Convention of the Privileges and Immunities of the United Nations,<sup>1</sup> or any other applicable international agreement, have no immunity

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<sup>1</sup> TIAS 7502, 6900; 23 UST 3227; 21 UST 1418.

from civil and administrative jurisdiction with respect to matters arising out of such employment. Such dependents are also liable for payment of income and social security taxes on any remuneration received as a result of employment in the receiving state.

The Department of State further proposes that, if these understandings are acceptable to the Government of Malta, this note and the Government of Malta's reply concurring therein shall constitute an agreement between our two Governments which shall enter into force on the date of that reply note. This agreement shall remain in force until ninety days after the date of the written notification from either Government to the other of intention to terminate.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Malta the assurance of its highest consideration.

Embassy of the United States of America  
Floriana, September 25, 1991

*The Ministry of Foreign Affairs of Malta to the American  
Embassy*

N.V. 804/91

Ministry of Foreign Affairs  
Malta

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honour to acknowledge receipt of the latter's Note Verbale No. 54 dated September 25th, 1991 which reads as follows: –

[For text of the U.S. note, see pp. 2-3.]

The Ministry of Foreign Affairs informs the Embassy that the afore-mentioned understandings are acceptable to the Government of Malta and agrees that the Embassy's Note Verbale No. 54 of September 25th, 1991 and this Note in reply shall constitute an Agreement between the two Governments which enters into force today. This Agreement shall remain in force until ninety days after the date of the written notification from either Government to the other of intention to terminate.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

3rd. October 1991

Embassy of the United States of America  
Floriana.