

Memorandum for Cabinet by the Hon. Minister of
Commonwealth and Foreign Affairs and the Hon.
Minister of Education

Cultural Agreement with Italy

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The Cultural Agreement between the Government of Malta and the Government of Italy a copy of which is attached herewith was drafted in Rome in November by representatives of the two Governments. The Agreement in its general lines was modelled on other Cultural Agreements previously drawn up between Italy and other countries and the United Kingdom and other countries. It should be stressed that some of these agreements were drawn up between countries with little if any political affinity.

The purpose of the Agreement is to maintain and strengthen cultural relations between Malta and Italy due respect being mutually paid to National Sovereignty and political integrity of the parties concerned. The bonds of friendship and the common ties of European Culture were always kept in mind during the drafting of the Agreement.

The Agreement consists of a preamble and six articles. The preamble briefly sets out in very generic terms the purpose of the Agreement and the motive for it.

Article I sets out in detail ways and means in which the study of the language, literature, history, art, Science and civilisation of the one party can be encouraged by the other party. The Article embraces culture in its widest sense and includes scientific work, archaeological missions, literary, artistic and academic activities. Collaboration in various other fields such as music, radio and Television, cinematography, and tourism are also included.

Article II refers specifically to the setting up by each Party of Scholarships and grant facilities to students, scholars, technicians and artists for its own citizens or citizens of the other Party.

/Article III

Article III concerns the question of equivalence of degrees and diplomas. The whole question will have to be studied in detail at a later stage after the Agreement is signed. The representatives of the Maltese Government were careful to specify that the recognition of equivalence of degrees and diplomas would in no way go against the professional interests of Maltese citizens.

Article IV stresses the possibility of adopting appropriate measures to give effect to a recommendation of the General Conference of U.N.E.S.C.O. concerning the prohibition and prevention of the illicit export, import and transfer of ownership of cultural property.

Article V lays down the setting up of a mixed commission for the implementation of the present Agreement and the planning of future programmes resulting therefrom.

Article VI refers to the basis of reciprocity underlying this Agreement and stresses the autonomy of each contracting party and mutual respect for the laws and regulations in force in the respective countries.

Article VII refers to the operative period of the said Agreement and the period of notice should either party decide on denouncing the Agreement.

Hon. Ministers are asked to signify their consent to the conclusion of the Cultural Agreement as drafted by the representatives of Malta and Italy.

28th December, 1965.

THE GOVERNMENT OF MALTA AND THE GOVERNMENT OF ITALY

- considering the close and friendly relations between the two Countries and the bonds of civilisation and culture which associate them in the historical development of the Mediterranean;
- wishing to promote a still more intense collaboration in the fields of culture, art, science, tourism and sport in order to strengthen the ties of mutual friendship;
- being conscious of the importance of mutual cultural contributions, have agreed to conclude a CULTURAL AGREEMENT and for this purpose have appointed as their Plenipotentiaries

THE GOVERNMENT OF ITALY

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THE GOVERNMENT OF MALTA

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who, having communicated to each other their respective Full Powers, which were found in good and due form, have agreed as follows:

Article I.

Each Contracting Party shall encourage the study of the language, literature, history, art, science, and civilisation of the other Party and undertakes to encourage and facilitate in the widest possible manner the cultural, scientific, technical, touristic and sporting cooperation between the two Countries by such appropriate means as:

- 1) the setting up of cultural and educational institutes, including those for vocational, art and craft training, and the mutual provision of every possible facility for their establishment and functioning;
- 2) the establishment of appropriate courses and chairs in the various educational institutes existing in the two Countries;
- 3) co-operation and assistance for the purpose of ensuring the conservation and restoration of

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archeological and artistic property, which is the heritage of the two Parties, including archaeological missions sent for the purpose of carrying out prospecting, excavations and research;

- 4) meetings and congresses of a cultural and scientific nature; seminars, refresher courses and other analogous activities;
- 5) exchange of lecturers, research-workers, teachers at all levels, scientists, scholars, technicians and artists;
- 6) the sending of cultural, scientific and technical missions or experts;
- 7) the participation of scientists, artists, scholars, technicians and sportsmen of each of the Parties in courses, congresses and meetings, even multilateral which may be held in the territory of the other Contracting Party;
- 8) the exchange, between universities, academies, libraries, archives, museums, scientific associations and cultural institutions in general, of information, reproductions of documents, catalogues, documentation, as well as the exchange and loan of official publications and books of a cultural, scientific, technical and artistic nature;
- 9) the gift or loan of cultural and educational material such as books, reproductions of works of art, fac-similes, publications, newspapers, periodicals, films and documentaries of an artistic, technical, scientific and touristic nature, transparencies, film-strips, records and sound- and video-tape recordings, school textbooks and all other technical aids for the diffusion of culture;
- 10) theatrical performances, concerts and other artistic shows as well as exchanges of displays and exhibitions;

- 11) collaboration in the fields of radio and of television including educational programmes;
- 12) collaboration in the cinematographic field;
- 13) the holding of competitions and other activities designed to strengthen the relations between the two Countries in the field of physical education and sports;
- 14) the exchange and diffusion of information concerning tourism and such other facilities as may tend to stimulate the tourist flow in both directions.

Article II.

Each Contracting Party shall, within its own budgetary possibilities, establish scholarships and prizes and grant facilities to students, research workers, scholars, graduates, technicians and artists whether they be its own citizens or citizens of the other Party. Each of the Contracting Parties shall also afford facilities to scholars of the other Party for the purpose of having access to and carrying out researches in its own cultural and scientific institutions, libraries, archives and museums, and shall also facilitate the exchange both of individuals and of groups of technicians and research workers who may wish to improve their knowledge or to follow specialized studies in the territory of the other Party.

Article III.

The Contracting Parties shall by mutual agreement consider how far and under what conditions - within the limits laid down by the laws and regulations in force in the two Countries - degrees and diplomas awarded by all types of educational institutions of the two Parties may be considered to be equivalent.

In particular, the Parties shall consider how far

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degrees and diplomas acquired by Maltese citizens in Italian institutions of higher learning may be held to be equivalent, for all purposes, to degrees and diplomas awarded by Maltese institutions of higher learning or otherwise recognised as valid in Malta.

Article IV.

The Contracting Parties shall by mutual agreement consider the possibility of adopting appropriate measures for giving effect to the Recommendation adopted at the thirteenth Session of the General Conference of UNESCO on 19 November, 1964, concerning "the means of prohibiting and preventing the illicit export, import and transfer of ownership of cultural property".

Article V.

A Mixed Commission shall be established to make possible, by reciprocal and periodic consultations, the attainment of the general objects of the present Agreement and to plan specific work programmes as well as to supervise the execution of this Agreement.

The Commission shall meet as necessary, but not less often than once a year, alternately in Italy and in Malta. The first meeting shall be held within two months of the entry into force of this Agreement.

The Commission shall be composed of an equal number of members appointed by the Italian Government and the Maltese Government. The Commission may avail itself of the advice of experts. The meetings of the Commission shall be chaired by the member so designated by the host Government.

The Commission shall establish the procedures and methods for its functioning.

One of the tasks of the Mixed Commission shall be to formulate proposals relating to the nature and extent of any fiscal facilities which may be accorded, on a basis

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of reciprocity, to cultural and educational institutes referred to in paragraph 1) of Article I of the present Agreement.

The proposals of the Mixed Commission in this regard, when approved by the Contracting Parties, shall form the subject of an exchange of notes, which on the completion of the relative Constitutional processes shall be considered an integral part of the present Agreement.

Article VI.

The Contracting Parties shall undertake that all activities envisaged by the present Agreement shall be carried out in so far as possible on the basis of reciprocity and in any case with full regard to the autonomy of each one of them and the laws and regulations in force in the respective Countries. The Contracting Parties shall therefore adopt all the requisite measures to give effect to the provisions of this Agreement.

This Agreement shall be ratified in the shortest possible time and shall become operative at the time of the exchange of the instruments of ratification which shall take place in

Article VII.

The present Agreement shall be for an indefinite period and shall remain operative so long as one of the Parties does not denounce it. In such case the Agreement shall cease to be operative six months after the notice of denunciation.

In witness whereof the undersigned Plenipotentiaries have signed the present Agreement and have affixed their seals hereunto.

Done at this day of
in two originals, in the Italian and English languages,
both texts being equally authoritative.