

No. 45291*

**South Africa
and
India**

Agreement between the Government of the Republic of South Africa and the Government of the Republic of India regarding the waiver of visa requirements for holders of diplomatic and official passports. Pretoria, 22 February 2008

Entry into force: 22 May 2008, in accordance with article 12

Authentic texts: *English and Hindi*

Registration with the Secretariat of the United Nations: *South Africa, 15 September 2008*

**The texts reproduced below are the original texts of the agreement as submitted. For ease of reference, they were sequentially paginated. The relevant Treaty Series volume will be published in due course.*

**Afrique du Sud
et
Inde**

Accord relatif à la suppression de visas pour les détenteurs de passeports diplomatiques ou officiels entre le Gouvernement de la République d'Afrique du Sud et le Gouvernement de la République de l'Inde. Pretoria, 22 février 2008

Entrée en vigueur : 22 mai 2008, conformément à l'article 12

Textes authentiques : *anglais et hindi*

Enregistrement auprès du Secrétariat des Nations Unies : *Afrique du Sud, 15 septembre 2008*

**Les textes reproduit ci-dessous sont les textes authentiques de l'accord tel que soumises pour l'enregistrement. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Le volume correspondant du Recueil des Traités sera disponible en temps utile.*

[ENGLISH TEXT – TEXTE ANGLAIS]



**AGREEMENT
BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC OF
SOUTH AFRICA**

AND

**THE GOVERNMENT OF THE REPUBLIC OF
INDIA**

REGARDING

**THE WAIVER OF VISA REQUIREMENTS
FOR HOLDERS OF
DIPLOMATIC AND OFFICIAL PASSPORTS**

PREAMBLE

The Government of the Republic of South Africa and the Government of the Republic of India (hereinafter jointly referred to as the "Parties" and in the singular as a "Party");

CONSIDERING it in the interest of both countries to strengthen their friendly relations;
and

DESIRING to facilitate the entry of the citizens of the Republic of India and the citizens of the Republic of South Africa who are holders of diplomatic or official passports into their respective countries,

HEREBY AGREE as follows:

Article 1

WAIVER OF VISA REQUIREMENTS

Citizens of the country of one Party, who are holders of valid diplomatic or official passports in that country, may enter, sojourn and exit the country of the other Party of which he or she is not a citizen through their respective international points of entry and exit without having to obtain a visa.

Article 2

COMPETENT AUTHORITIES

The Competent Authorities responsible for the implementation of this Agreement shall be—

- (a) on behalf of the Government of the Republic of South Africa, the Department of Home Affairs; and
- (b) on behalf of the Government of the Republic of India, the Ministry of Home Affairs.

Article 3
SCOPE OF APPLICATION

Citizens of the countries of either Party, who enter the territory of the other Party pursuant to Article 1, shall be entitled to stay in the country of the other Party for a period not exceeding ninety (90) days.

Article 4
ACCREDITED DIPLOMATIC AND CONSULAR STAFF

- (1) A citizen of a country of a Party who is assigned as a member of the diplomatic or consular staff in the country of the other Party and is in possession of a valid diplomatic or official passport, shall not be required to obtain a visa to enter the country of the other Party, and shall be granted, on request from the Diplomatic Mission or Consular Post concerned, within ninety (90) days of the arrival of the diplomatic or official passport holder, a residence visa for the period of his or her official stay.
- (2) The provision of SubArticle (1) shall apply to a citizen of a country of a Party in possession of a valid diplomatic or official passport who is a representative of his or her country in an international organisation located in the country of the other Party.
- (3) The provisions of SubArticle (1) shall also apply to the spouse of a member of the Diplomatic Mission or Consulate, their children and dependent parents within the first step of kinship, provided that they hold a valid diplomatic, official or service passport.

Article 5

ATTENDANCE OF MEETINGS OR CONFERENCES AND OFFICIAL VISITS

- (1) A citizen of a country of either Party who is in possession of a valid diplomatic or official passport and is attending a meeting or conference convened by an international organization or Government of the initiating Party, which is held in the country of the other Party, shall not be required to obtain a visa to enter, sojourn and exit the country of that Party.
- (2) The holders of diplomatic or official passports of either Party who are employed by an international organization, body, agency or any other such entity, must obtain a visa prior to their entry into the country of the other Party for official visits.

Article 6

REFUSAL OF ENTRY AND ISSUING OF NEW PASSPORT

- (1) Each Party reserves the right to refuse the entry into, or shorten the stay in its country, of any citizen of the country of the other Party, whom it considers to be undesirable.
- (2) If a citizen of the country of one Party loses his or her passport in the country of the other Party, he or she shall inform the authorities concerned of the host country for appropriate action. The Diplomatic Mission or Consulate concerned shall issue a new passport or travel document to its citizen and inform the authorities concerned of the host country.