

No. 47214

**New Zealand
and
Samoa**

Agreement between the Government of New Zealand and the Government of the Independent State of Samoa concerning the temporary stay of members of the New Zealand armed forces on the territory of the Independent State of Samoa (New Zealand - Samoa Visiting Forces Agreement). Apia, 7 July 2009

Entry into force: *7 July 2009 by signature, in accordance with article 13*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *New Zealand, 9 March 2010*

**Nouvelle-Zélande
et
Samoa**

Accord entre le Gouvernement de la Nouvelle-Zélande et le Gouvernement de l'État indépendant du Samoa relatif au séjour temporaire des membres des forces armées de Nouvelle-Zélande sur le territoire de l'État indépendant du Samoa (Accord Nouvelle-Zélande – Samoa sur les forces en visite). Apia, 7 juillet 2009

Entrée en vigueur : *7 juillet 2009 par signature, conformément à l'article 13*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Nouvelle-Zélande, 9 mars 2010*

[ENGLISH TEXT – TEXTE ANGLAIS]

**Agreement
between
the Government of New Zealand
and
the Government of the Independent State of Samoa
concerning
the Temporary Stay of Members
of the New Zealand Armed Forces
on the Territory of the Independent State of Samoa
(New Zealand - Samoa Visiting Forces Agreement)**

The Government of New Zealand

and

the Government of the Independent State of Samoa:

(hereinafter referred to as "the Parties")

Recalling the Treaty of Friendship between their two Governments done at Apia on 1 August 1962,

Reaffirming the close relationship established by that Treaty, and

Desirous of regulating the conditions for the temporary stay of members of the New Zealand Armed Forces in the Independent State of Samoa ("Samoa"),

have agreed as follows:

Article 1

Definition

New Zealand contingent means any one or more members of the New Zealand Armed Forces who are given permission to enter and remain within the sovereign territory of Samoa under Article 3 of this Agreement, including any members of a civilian component of a New Zealand contingent who are not nationals of or ordinarily resident in Samoa.

Article 2

Subject of the Agreement

1. This Agreement regulates the entry, departure and temporary stay of New Zealand contingents on the sovereign territory of Samoa.
2. Unless this Agreement stipulates otherwise, the entry, departure and temporary stay of a New Zealand contingent is subject to the domestic law and regulations of Samoa.

Article 3

Type, Scope and Duration of Stay

1. The competent authorities of Samoa may give permission in advance for any New Zealand contingent to enter and stay temporarily within the territory of Samoa for the purpose of any operation, training, exercise or assistance to the Government of Samoa.
2. Details on the type, scope and duration of a given stay shall be mutually determined between the competent authorities of the Parties in a specific arrangement.

Article 4

Conditions for Entry, Departure and Stay

1. A New Zealand contingent may:
 - a. Enter the territory of Samoa in vessels or aircraft, and remain on or over this territory in accordance with an arrangement made under Article 3(2) of this Agreement;
 - b. Disembark land vehicles on to the territory of Samoa;
 - c. Wear military uniform while on duty; and
 - d. Possess and carry weapons during its stay on the territory of Samoa if necessary for the official purpose of its stay.
2. If any weapons or vehicles are imported or brought into Samoa under this Agreement:
 - a. Any licences or permits required shall be granted in accordance with the law of Samoa; and
 - b. Other details relating to the use of vehicles and the possession and carriage of weapons by a New Zealand contingent on the territory of Samoa shall be mutually determined;

in accordance with a specific arrangement to be entered into between the competent authorities of the Parties.
3. The competent authorities of Samoa shall:

- a. Facilitate the entry and departure of any New Zealand contingent from a place or places mutually determined by the Parties; and
 - b. Provide customs and immigration facilities to meet vessels and aircraft arriving in Samoa with members of the New Zealand contingent.
4. The Government of Samoa shall not levy any charges against the Government of New Zealand for the use of land, facilities or services by a New Zealand contingent unless such charges are mutually determined between the competent authorities of the Parties in a specific arrangement.
5. A New Zealand contingent shall be permitted to enter and depart from Samoa on the basis of:
 - a. A personal identity card issued by the New Zealand Defence Force showing the full name, date of birth, rank, service number, service and photograph of the holder; and
 - b. An individual or collective movement order issued by the New Zealand Defence Force certifying the status of the individual or group as a New Zealand contingent or member of that contingent.
6. Passports shall not be required by a New Zealand contingent for entry into Samoa. The Government of Samoa shall grant any New Zealand contingent exemption from departure tax.
7. A New Zealand contingent may import into Samoa, free of duty, any materiel which is necessary for the equipment, maintenance, operation and support of the New Zealand contingent, provided that a detailed list of all the materiel is provided to the Samoa authorities at least one week before the arrival of a New Zealand contingent. The Samoa authorities reserve the right to reject the importation into Samoa of any materials provided in the list of materiel, if the importation of such materials is contrary to the laws of Samoa.
8. Any materiel imported under paragraph 7 of this Article may be re-exported freely. The competent authorities of the Parties shall mutually determine the customs and quarantine inspection requirements for any materiel imported under paragraph 7 of this Article in a specific arrangement, except that any official documents or classified material held by the New Zealand contingent shall not be subject to inspection. The status of any official documents or classified material brought into Samoa by a New Zealand contingent