

**No. 50544**

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**New Zealand  
and  
Tuvalu**

**Agreement between the Government of New Zealand and the Government of the Independent State of Tuvalu concerning the temporary stay of members of the New Zealand Armed Forces on the territory of the Independent State of Tuvalu (Tuvalu - New Zealand Visiting Forces Agreement). Suva, 21 June 2010**

**Entry into force:** *21 June 2010 by signature, in accordance with article 14*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *New Zealand, 21 March 2013*

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**Nouvelle-Zélande  
et  
Tuvalu**

**Accord entre le Gouvernement de la Nouvelle-Zélande et le Gouvernement de l'État indépendant des Tuvalu relatif au séjour temporaire des membres des Forces armées néo-zélandaises sur le territoire de l'État indépendant des Tuvalu (Accord sur les forces étrangères entre la Nouvelle-Zélande et les Tuvalu). Suva, 21 juin 2010**

**Entrée en vigueur :** *21 juin 2010 par signature, conformément à l'article 14*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Nouvelle-Zélande, 21 mars 2013*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

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

**The Government of New Zealand**

**And**

**the Government of the Independent State of Tuvalu:**

(hereinafter referred to as “the Parties”)

**Recognising** the close and friendly relations between them, and New Zealand’s historical support to the Independent State of Tuvalu (“Tuvalu”;

**Welcoming** the possibility of regular exercises by the New Zealand Armed Forces in the territory of Tuvalu;

**Having regard to** the risks in the Pacific of natural disasters and the possible nature of a New Zealand response;

**Acknowledging** the need to regulate the conditions for the temporary stay of members of the New Zealand Armed Forces in Tuvalu;

**Agree** 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 Tuvalu 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 Tuvalu.

**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 Tuvalu.
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 Tuvalu.

**Article 3**  
**Type, Scope and Duration of Stay**

1. The competent authorities of Tuvalu may give permission in advance for any New Zealand contingent to enter and stay temporarily within the territory of Tuvalu for the purpose of any operation, training, exercise or assistance to the Government of Tuvalu.
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 Tuvalu 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 Tuvalu;
  - c. Wear military uniform while on duty; and
  - d. Possess and carry weapons during its stay on the territory of Tuvalu if necessary for the official purpose of its stay.
2. If any weapons or vehicles are imported or brought into Tuvalu under this Agreement:
  - a. Any licences or permits required shall be granted in accordance with the law of Tuvalu; 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 Tuvalu 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 Tuvalu 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 Tuvalu with members of the New Zealand contingent.
4. The Government of Tuvalu 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 Tuvalu 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 Tuvalu. The Government of Tuvalu shall grant any New Zealand contingent exemption from departure tax.
7. A New Zealand contingent may import into Tuvalu, 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 Tuvalu authorities at least one week before the arrival of a New Zealand contingent, or, in the case of emergency assistance under Article 12, as soon as practically possible. The Tuvalu authorities reserve the right to reject the importation into Tuvalu of any materials provided in the list of materiel, if the importation of such materials is contrary to the laws of Tuvalu.
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