

No. 51341

**South Africa
and
Nigeria**

Agreement between the Government of the Republic of South Africa and the Government of the Federal Republic of Nigeria on the waiver of visa requirements for categories of citizens holding diplomatic or official passports (with addendum). Cape Town, 7 May 2013

Entry into force: *6 June 2013, in accordance with article 11*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *South Africa, 16 September 2013*

**Afrique du Sud
et
Nigéria**

Accord entre le Gouvernement de la République sud-africaine et le Gouvernement de la République fédérale du Nigéria relatif à la suppression des formalités de visas pour les catégories de citoyens détenteurs de passeports diplomatiques ou officiels (avec annexe). Le Cap, 7 mai 2013

Entrée en vigueur : *6 juin 2013, conformément à l'article 11*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Afrique du Sud, 16 septembre 2013*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN

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

AND

**THE GOVERNMENT OF THE FEDERAL REPUBLIC OF
NIGERIA**

**ON THE WAIVER OF VISA REQUIREMENTS
FOR CATEGORIES OF CITIZENS HOLDING DIPLOMATIC
OR
OFFICIAL PASSPORTS**

PREAMBLE

The Government of the Republic of South Africa and the Government of the Federal Republic of Nigeria (hereinafter jointly referred to as the “Parties” and separately as a “Party”);

MINDFUL of the existing relationship between the Parties in areas of mutual interest, including immigration matters;

DESIROUS to further promote friendly relations existing between the Parties and wishing to further foster closer cooperation in matters of mutual interest;

RECOGNISING the need to ensure smooth transit of categories of citizens of the Parties holding diplomatic or official passports through the borders of the Parties by exempting such citizens from visa requirements;

HEREBY AGREE as follows:

ARTICLE 1

COMPETENT AUTHORITIES

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

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

ARTICLE 2
WAIVER OF VISA REQUIREMENTS

- (1) This Agreement is applicable to the categories of citizens of each Party mentioned in Addendum A to this Agreement.
- (2) Citizens of the country of one Party holding valid diplomatic or official passports of that country, may enter into, exit from, transit through and stay in the country of the other Party for a period not exceeding ninety (90) days without having to obtain a visa.
- (3) Waiver of visa requirements in terms of this Agreement shall be based on the principle of reciprocity.

ARTICLE 3
ACCREDITED DIPLOMATIC AND CONSULAR STAFF

- (1) Citizens of the country of a Party who are holders of valid diplomatic or official passports, as well as members of their immediate families who have been issued with valid diplomatic or official passports, shall not be required to obtain a visa to enter into, exit from, transit through or stay in the country of the other Party for the duration of their accreditation, provided they have complied with the accreditation requirements of the other Party within thirty (30) days after their arrival.
- (2) Each Party shall notify the other Party in advance in writing through the diplomatic channel of the arrival of such Party's citizens who are holders of valid diplomatic or official passports, including any member of their immediate families who will be accompanying such citizens.
- (3) Immediate family contemplated in this Agreement means a spouse, any unmarried child under the age of 18 years, and any unmarried dependent offspring between the age of 18 and 23 who is undertaking full time studies at an education institution.

ARTICLE 4
MOVEMENT CONTROL

The entry into or exit from the country of the other Party by a citizen of a country of either Party who is in possession of a valid diplomatic or official passport, shall take place through the international points of entry and exit of the respective Parties.

ARTICLE 5
COMPLIANCE WITH DOMESTIC LAWS

This Agreement shall not exempt the citizens of either country who are holders of valid diplomatic or official passports, including members of their immediate families accompanying them, from complying with the domestic law in force in the territory of the other Party.

ARTICLE 6
**REFUSAL OF ENTRY AND ISSUING OF NEW DIPLOMATIC OR OFFICIAL
PASSPORT**

- (1) Each Party reserves the right to refuse entry into or shorten the stay in its country of any citizen of the country of the other Party who is a holder of a valid diplomatic or official passport, whom it may consider undesirable.
- (2) If a citizen of the country of one Party loses his or her diplomatic or official passport in the country of the other Party—
 - (a) he or she shall inform the relevant authorities in the host country thereof; and
 - (b) the Diplomatic Mission or Consulate concerned shall issue a new diplomatic or official passport or travel document to its citizen and inform the relevant authorities of the host country thereof.