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**New Zealand
and
Papua New Guinea**

Agreement between the Government of New Zealand and the Government of the Papua New Guinea regarding the status of visiting forces and defence co-operation. Port Moresby, 7 March 2018

Entry into force: *22 August 2018 by notification, in accordance with article 20*

Authentic text: *English*

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**Nouvelle-Zélande
et
Papouasie-Nouvelle-Guinée**

Accord entre le Gouvernement de la Nouvelle-Zélande et le Gouvernement de la Papouasie-Nouvelle-Guinée concernant le statut des forces étrangères et la coopération en matière de défense. Port Moresby, 7 mars 2018

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Agreement between
the Government of New Zealand
and
the Government of Papua New Guinea
regarding
the Status of Visiting Forces
and
Defence Co-operation

The Government of New Zealand and the Government of Papua New Guinea (hereinafter referred to as "the Parties");

Having regard to the cordial defence and security relationship between the Parties;

Considering that the conduct of defence cooperation activities between them is in the national interest of both their countries;

Desiring to define the status of the armed forces of one Party while in the territory of the other Party;

Further desiring to make provision for the settlement of claims arising out of the presence of the armed forces of one Party while in the territory of the other Party;

Have agreed as follows:

Article 1

Definitions

In this Agreement, unless the context otherwise requires:

authorities of the receiving State means the authority or authorities from time to time authorised or designated under the law of the receiving State

or by the Government of the receiving State for the purpose of exercising the powers or responsibilities in relation to which the expression is used

authorities of the sending State means the authority or authorities from time to time authorised or designated under the law of the sending State or by the Government of the sending State for the purpose of exercising the powers or responsibilities in relation to which the expression is used

civilian component, in relation to a visiting force, means the civilian personnel who are neither nationals of, nor ordinarily resident in, the receiving State, and who:

- (a) are employed by or in the service of the visiting force; or
- (b) are serving with an organisation that, with the approval of the Government of the receiving State, is accompanying the visiting force; or
- (c) are attached to or are accompanying the visiting force

dependant, in relation to a visiting force, means a person who:

- (a) is not a member of a visiting force or of its civilian component; and
- (b) is neither a national of, nor ordinarily resident in, the receiving State; and
- (c) is accompanying a member of the visiting force or its civilian component; and
 - a. is the spouse of the member; or
 - b. is wholly or mainly maintained by the member; or
 - c. is in the custody, care or charge of the member; or
 - d. is one of the immediate family of the member residing with the member.

member of a visiting force means a person who, in accordance with the law of the sending State, is serving as a member of a visiting force, but does not include:

- (a) a member of the armed forces of the sending State who is temporarily attached to the armed forces of the receiving State in accordance with the respective laws of the Parties; or
- (b) a person that the Parties mutually determine shall not be regarded as being a member of a visiting force for the purposes of this Agreement

receiving State means the State of the Party in whose territory a visiting force is located, whether it is stationed there or in transit

sending State means the State of the Party to which the visiting force belongs

territory means:

- (a) in the case of Papua New Guinea, all of its sovereign territory; and
- (b) in the case of New Zealand, means the Realm of New Zealand but excludes the Cook Islands, Niue, Tokelau and the Ross Dependency.

visiting force means any body, contingent or detachment of the armed forces of one Party, who, with the consent of the other Party, is present in the territory of the other Party, provided that the Parties may mutually determine that certain bodies, contingents or detachments shall not be regarded as constituting or being included in a visiting force for the purposes of this Agreement.