

No. 27021

**SPAIN
and
NEW ZEALAND**

Exchange of letters constituting an agreement on the abolition of visas (with related notes providing for the non-application of the Agreement to the Cook Islands, Niue and Tokelau). Madrid, 10 October 1988

Authentic texts: English and Spanish.

Registered by Spain on 11 January 1990.

**ESPAGNE
et
NOUVELLE-ZÉLANDE**

Échange de lettres constituant un accord relatif à la suppression de visas (avec notes connexes relatives à la non-application de l'Accord aux îles Cook, Nioué et Tokélaou). Madrid le 10 octobre 1988

Textes authentiques : anglais et espagnol.

Enregistré par l'Espagne le 11 janvier 1990.

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN SPAIN AND NEW ZEALAND ON THE ABOLITION OF VISAS

I

Madrid, 10 October 1988

Your Excellency,

I have the honour to refer to recent discussions between representatives of our two Governments regarding the mutual abolition of visas with the objective of facilitating tourist, cultural and trade exchanges, and fostering relations between our two countries. Accordingly, I suggest that an Agreement in the following terms be concluded between New Zealand and Spain.

1. New Zealand citizens, who bear valid New Zealand passports and who enter Spain for business or tourist purposes for a period of not more than three months and who do not take up any form of gainful employment or remunerated occupation in Spain, shall not be required to obtain visas in advance.

2. New Zealand citizens who wish to enter Spain, and who are not entitled to exemption in terms of the preceding paragraph, shall be subject to the requirements of Spain concerning visas.

3. Spanish citizens, who bear valid Spanish passports and who enter New Zealand for business or tourist purposes for a period of not more than three months and who do not take up any form of gainful employment or remunerated occupation in New Zealand, shall not be required to obtain visas in advance.

4. Spanish citizens who wish to enter New Zealand, and who are not entitled to exemption in terms of the preceding paragraph, shall be subject to the requirements of New Zealand concerning visas.

5. The foregoing shall not exempt Spanish citizens entering New Zealand and New Zealand citizens entering Spain from their obligation to observe the legislation in force in New Zealand and Spain respectively regarding the entry, residence (whether temporary or permanent), employment or occupation, and exit of foreigners.

6. Citizens of either country who bear valid diplomatic or official passports, and who are assigned to the diplomatic and consular service of the other country or who come to the other country on official business on behalf of their Government shall not require a visa.

7. The foregoing provisions shall not restrict the appropriate authorities in New Zealand or Spain from denying entry into their territories of any persons they may consider undesirable or from temporarily suspending this Agreement for reasons of public order, health or security.

¹ Came into force on 31 October 1989, i.e., the last day of the month following the conclusion of an exchange of notes (dated 5 and 25 September 1989) by which the Parties had informed each other of the completion of the required legal and constitutional procedures, in accordance with the provisions of the said letters.

If the foregoing terms are acceptable to the Government of Spain I have the honour to propose that this letter and your reply thereto should constitute an Agreement between our two States which shall enter into force on the last day of the month following the conclusion of an exchange of notes between our two States advising the completion of the legal and constitutional procedures required for its entry into force. It shall cease to be in force on the last day of the month following the date on which either party notifies the other in writing of its desire to terminate the Agreement.

Accept, Your Excellency, the assurances of my highest consideration.

[Signed]

RUSSELL MARSHALL
Minister of Foreign Affairs

Francisco Fernández Ordoñez
Minister of Foreign Affairs of Spain

[TRANSLATION — TRADUCTION]

Madrid, 10 October 1988

Sir,

I have the honour to acknowledge receipt of your letter of today's date in which you inform me as follows:

[*See letter I*]

I have the honour to inform you that the Spanish Government agrees to the terms of your letter and that your letter together with this reply shall constitute an Agreement between our two States which shall enter into force on the last day of the month following the conclusion of an exchange of letters indicating that the required legal and constitutional procedures for its entry into force have been completed. It shall cease to be in force on the last day of the month following the date of the letter denouncing the Agreement.

Accept, Sir, etc.

[*Signed*]

FRANCISCO FERNÁNDEZ ORDOÑEZ
Minister of Foreign Affairs

His Excellency Mr. C. R. Marshall
Minister of Foreign Affairs of New Zealand

RELATED NOTES — NOTES CONNEXES

I a

No. 1988/39S

The Embassy of New Zealand presents its compliments to the Ministry of Foreign Affairs and with regard to the Exchange of Letters Constituting a Visa Abolition Agreement between New Zealand and Spain signed today has the honour to declare that the term “New Zealand” where it is used in the aforementioned Agreement does not include the Cook Islands, Niue or Tokelau.

The Embassy would be grateful for written confirmation from the Ministry of Foreign Affairs of the receipt and acceptance of this declaration.

The Embassy of New Zealand avails itself of this opportunity to renew to the Ministry of Foreign Affairs the assurances of its highest consideration.

Madrid, 10 October 1988

Embassy of New Zealand to Spain

[TRANSLATION — TRADUCTION]

II *a*

MINISTRY OF FOREIGN AFFAIRS

Note Verbale

The Ministry of Foreign Affairs presents its compliments to the Embassy of New Zealand and, with regard to its note verbale No. 1988/39S, dated 10 October 1988, containing a declaration concerning the territorial significance of the term "New Zealand", has the honour to acknowledge receipt and acceptance of the said declaration.

The Ministry of Foreign Affairs renews to the Embassy of New Zealand the assurances of its highest consideration.

Madrid, 10 October 1988

Embassy of New Zealand