

No. 32505

**BRAZIL
and
URUGUAY**

Agreement relating to the exercise of remunerative activities by dependants of diplomatic, consular, administrative and technical personnel. Signed at Montevideo on 11 June 1993

Authentic texts: Portuguese and Spanish.

Registered by Brazil on 1 February 1996.

**BRÉSIL
et
URUGUAY**

Accord relatif aux activités rémunérées des personnes à charge du personnel diplomatique, consulaire, administratif et technique. Signé à Montevideo le 11 juin 1993

Textes authentiques : portugais et espagnol.

Enregistré par le Brésil le 1^{er} février 1996.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE EASTERN REPUBLIC OF URUGUAY RELATING TO THE EXERCISE OF REMUNERATIVE ACTIVITIES BY DEPENDANTS OF DIPLOMATIC, CONSULAR, ADMINISTRATIVE AND TECHNICAL PERSONNEL

The Government of the Federative Republic of Brazil and the Government of the Eastern Republic of Uruguay (hereinafter referred to as the “Contracting Parties”),

Considering the very high level of agreement and understanding that exists between the two countries, and

With a view to establishing new mechanisms for strengthening their diplomatic relations,

Have agreed as follows:

Article I

The dependants of diplomatic, consular, administrative and technical personnel of one Contracting Party appointed to carry out, in the other Party, official duties as a member of a diplomatic mission, consular office or mission to an international organization based in either of the two countries may receive permission to exercise a remunerated activity in the receiving State, provided that national interests are respected. The permission in question may be refused if:

(a) The employer is the receiving State, including instances where the State would be acting as an employer through its quasi-independent organizations, foundations, public enterprises and mixed-economy companies; or

(b) National security might be affected.

Article II

For the purposes of this Agreement, “dependant” means:

(a) Spouses;

(b) Unmarried children under 21;

(c) Unmarried children under 25 in full-time attendance at a university or post-secondary educational institution recognized by each State;

(d) Unmarried children who are physically or mentally disabled.

¹ Came into force on 13 August 1995, i.e., 30 days after the date of receipt of the last of the notifications by which the Parties had informed each other of the completion of their respective internal legal requirements, in accordance with article V (1).

Article III

1. A dependant who wishes to exercise a remunerative activity in the receiving State will need prior authorization from the local Government. Such permission shall be sought by means of a request made by the Embassy of the sending State to the Ministry of Foreign Affairs of the receiving State. After establishing whether the person in question comes within the categories defined in this Agreement, and after observing the applicable internal provisions, the Ministry of Foreign Affairs of the receiving State shall officially inform the Embassy of the sending State that the person has permission to exercise a remunerative activity, subject to the legislation applicable in the receiving State.

2. In the case of professions which require special qualifications, the dependant shall not be exempt from the requirement to comply with these conditions. The provisions of this Agreement may not be construed to imply the recognition, by the other Party, of academic qualifications for the purpose of practising a profession.

3. Immunity from civil and administrative jurisdiction relating to all matters stemming from employment shall be suspended irrevocably in respect of those dependants who exercise a remunerative activity within the terms of this Agreement. In the event that a dependant who, within the terms of this Agreement, has immunity from criminal jurisdiction in accordance with the Vienna Convention on Diplomatic Relations¹ is accused of a criminal offence in relation to his or her employment, the sending State shall give serious consideration to any written request for the waiving of such immunity.

4. Dependants who exercise a remunerated activity in the receiving State within the terms of this Agreement shall be subject to the legislation of the receiving State in respect of taxation and social security contributions relevant to the exercise of such activities.

Article IV

The authorization of a dependant to exercise a remunerative activity shall terminate when the functions of the diplomatic agent, consular official or employee or administrative or technical staff member on whom that person is dependent have ended in relation to the Government to which he or she was accredited.

Article V

1. The Contracting Parties shall notify each other of the completion of their respective internal legal procedures required for the entry into force of this Agreement; the latter shall enter into force 30 days following the receipt of the second notification.

2. This Agreement shall be valid for six years and shall be renewed by tacit agreement for successive one-year periods unless either Party indicates through the diplomatic channel that it wishes to terminate the Agreement. In such case, the termination shall be effective six months from the receipt of the notification.

3. The Parties shall regularly evaluate the benefits derived from the application of this Agreement, *inter alia* from the standpoint of the balance and equitable distribution of those benefits between the two States.

¹ United Nations, *Treaty Series*, vol. 500, p. 95.

DONE at Montevideo on 11 June 1993, in two originals in the Portuguese and Spanish languages, both texts being equally authentic.

For the Government
of the Federative Republic of Brazil:

JORGE CARLOS RIBEIRO
Ambassador Extraordinary
and Plenipotentiary

For the Government
of the Eastern Republic of Uruguay:

SÉRGIO ABREU BONILLA
Minister for Foreign Affairs
