

# AGREEMENT BETWEEN THE REPUBLIC OF INDIA AND THE PORTUGUESE REPUBLIC ON THE EXEMPTION OF VISAS FOR HOLDERS OF DIPLOMATIC PASSPORTS

The Republic of India and the Portuguese Republic, hereinafter referred to as "Parties",

Considering the interest of both countries to strengthen the relations of friendship and co-operation, and

Desiring to facilitate the movement of their nationals holding diplomatic passports,

Have agreed as follows

## Article 1

### Object

This Agreement shall set forth the legal framework for exemption of visas for holders of diplomatic passports of the Parties.

## Article 2

### Definitions

For the purpose of this Agreement, "Valid passport" shall mean the diplomatic passport that, at the time of the exit of the national territory of one of the Parties, has at least one hundred and eighty (180) days validity.

## Article 3

### Short-term stay

1. The citizens of the Portuguese Republic holding a valid Portuguese diplomatic passport may enter and stay in the territory of the Republic of India without visa for a maximum period of ninety (90) days during any six-month period from the date of first entry.
2. The citizens of the Republic of India holding a valid diplomatic passport may enter and stay in the territory of the Portuguese Republic without visa for a maximum period of ninety (90) days during any six-month period from the date of the first entry at the external border establishing the area of free movement created by the States which are Party to the Convention implementing the Schengen Agreement of 14 June 1985, adopted on 19 June 1990.

## Article 4

### Visas for Assignments

1. A citizen of either Party, who is assigned as a member of the diplomatic or consular staff in Missions/Posts or as representative of his/her country in an international organization located in the territory of the other Party and is in possession of a valid diplomatic passport, shall be required to obtain a visa prior to entry into the territory of the other Party.

2. The holders of diplomatic passport of either Party who are employed by an international organization, body, agency or any other such entity, would be required to obtain visa prior to their entry into the territory of the other Party for official or private visits.
3. The conditions enumerated in paragraph 1 of this Article shall also apply to the spouse of a member of the diplomatic Mission or Consulate or representative in international organization, their children and their dependent parents.

#### **Article 5**

#### **Compliance with the law of the Parties**

1. The visa exemption shall not relieve a person from the obligation to comply with the national law of the Parties on the entry into, stay in and exit from the territory of destination of the holders of passports in accordance with the conditions set out in this Agreement.
2. This Agreement does not exclude the right of the competent authorities of either Party to refuse entry or stay of citizens of the other Party in accordance with their national legislation.

#### **Article 6**

#### **Information on passports**

1. The Parties shall exchange, through diplomatic channels, specimens of the valid diplomatic passport no later than thirty (30) days after the date of the entry into force of this Agreement in accordance with Article 10.
2. Where either Party submits new passports or modifies those previously exchanged, it shall inform the other Party through the diplomatic channels of the specimen of the new or modified passport no later than thirty (30) days before the date it begins to be used.

#### **Article 7**

#### **Settlement of Disputes**

Any dispute concerning the interpretation or application of this Agreement shall be settled by negotiation, through the diplomatic channels.

#### **Article 8**

#### **Suspension of application**

1. Either Party may temporarily suspend the application of this Agreement wholly or partially, on grounds of public order, public health and national security.
2. The suspension of this Agreement and its termination shall be immediately notified in writing through the diplomatic channels to the other Party.
3. The suspension shall not affect the rights of nationals who have already entered the territory of the other Party.

**Article 9**  
**Amendments**

1. This Agreement may be amended, by mutual consent of the Parties.
2. The amendments shall enter into force in accordance with the terms specified in Article 11 of this Agreement.

**Article 10**  
**Duration and termination**

1. This Agreement shall remain in force for an unlimited period of time.
2. Either Party may, at any time, terminate this Agreement upon a prior notification in writing through diplomatic channels.
3. This Agreement shall terminate ninety (90) days after the receipt of such notification.
4. The termination shall not affect the rights of nationals who have already entered the territory of the other Party.

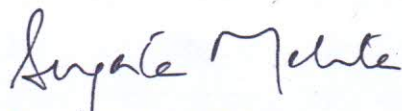
**Article 11**  
**Entry into force**

This Agreement shall enter into force thirty (30) days after the date of receipt of the last written notifications through diplomatic channels, conveying the completion of the internal legal procedures required for that purpose.

In witness whereof, the undersigned being duly authorized thereto, by their respective Governments, have signed the present Agreement.

Done at New Delhi, on 06 January, 2017, in two originals, in the Hindi, English and Portuguese languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

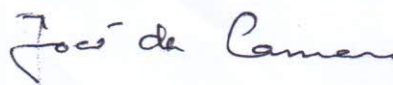
**For the Republic of India**



**Name: Sujata Mehta**  
**Designation: Secretary (West)**

**Date: 06 January, 2017**

**For the Portuguese Republic**



**Name: João da Camara**  
**Designation: Ambassador**