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Ministry of Foreign Affairs and Trade

AGREEMENT

ON A WORKING HOLIDAY SCHEME BETWEEN THE GOVERNMENT
OF NEW ZEALAND AND THE GOVERNMENT OF THE FEDERATIVE
REPUBLIC OF BRAZIL

Auckland, 28 August 2008
[Entered into force for New Zealand 8 February 2010]

Presented to the House of Representatives

**AGREEMENT ON A WORKING HOLIDAY SCHEME
BETWEEN THE GOVERNMENT OF NEW ZEALAND
AND THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF
BRAZIL**

The Government of New Zealand and the Government of the Federative Republic of Brazil (hereinafter referred to as the “Parties”),

Considering the interest in establishing a working holiday scheme for Brazilian citizens in New Zealand and for New Zealand citizens in Brazil,

Have agreed as follows:

I – OBLIGATIONS OF THE GOVERNMENT OF NEW ZEALAND

Article 1

The Government of New Zealand, through Immigration New Zealand (part of the Department of Labour), shall, subject to Article 2, on application by a citizen of the Federative Republic of Brazil, issue a temporary visa valid for presentation for a non-renewable period of twelve months from the date of issue to any person who satisfies each of the following requirements:

- (a) is a citizen of the Federative Republic of Brazil;
- (b) satisfies the immigration officer that his/her primary intention is to holiday in New Zealand, with employment being an incidental rather than a primary reason for the visit;
- (c) is aged between eighteen and thirty years, both inclusive, at the time of application;
- (d) is not accompanied by dependants;
- (e) possesses a valid Brazilian passport;
- (f) possesses a return ticket, or sufficient funds to purchase such a ticket;
- (g) possesses sufficient funds for his/her maintenance during the period of stay in New Zealand, at the discretion of the relevant authorities;
- (h) pays the prescribed temporary visa application fee;
- (i) agrees to hold medical and comprehensive hospitalisation insurance to remain in force throughout his/her stay in New Zealand; and
- (j) complies with any health requirements imposed by New Zealand.

Article 2

The Government of New Zealand shall issue each year up to 300 of the temporary visas mentioned in Article 1 to citizens of the Federative Republic of Brazil, unless it determines otherwise. An adjustment to the number of temporary visas issued each year shall not be regarded as a formal amendment to this Agreement and shall be confirmed through the diplomatic channel.

Article 3

Any citizen of the Federative Republic of Brazil who holds a temporary visa issued pursuant to Article 1 and who is granted permission to enter New Zealand on the basis of that temporary visa shall be able to stay in New Zealand and undertake paid employment pursuant to the terms of this Agreement for a non-renewable period of up to twelve (12) months from the date of entry into New Zealand.

Article 4

1. The Government of New Zealand shall require any citizen of the Federative Republic of Brazil who has entered New Zealand through the Scheme operating under this Agreement to comply with the laws and regulations of New Zealand and not to engage in employment that is contrary to the purpose of this Agreement.
2. Participants in the Scheme operating under this Agreement are not permitted to engage in permanent employment during their stay and should not work for the same employer for more than three months during the course of their stay in New Zealand. They may enroll in one training or study course of up to three months' duration during the course of their visit to New Zealand.

II – OBLIGATIONS OF THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL

Article 5

The Government of the Federative Republic of Brazil, through the Ministry of External Relations, shall, subject to Article 6, on application by a New Zealand citizen, issue a working holiday temporary visa valid for presentation for a non-renewable period of twelve months from the date of issue to any person who satisfies each of the following requirements:

- (a) is a citizen of New Zealand;

- (b) satisfies the Brazilian authorities that his/her primary intention is to holiday in the Federative Republic of Brazil, with employment being an incidental rather than a primary reason for the visit;
- (c) is aged between eighteen and thirty years, both inclusive, at the time of application;
- (d) is not accompanied by dependants;
- (e) possesses a valid New Zealand passport;
- (f) possesses a return ticket, or sufficient funds to purchase such a ticket;
- (g) possesses sufficient funds for his/her maintenance during the period of stay in the Federative Republic of Brazil, at the discretion of the relevant authorities;
- (h) pays the prescribed working holiday temporary visa application fee;
- (i) agrees to hold medical and comprehensive hospitalisation insurance to remain in force throughout his/her stay in the Federative Republic of Brazil; and
- (j) complies with any health requirements imposed by the Federative Republic of Brazil.

Article 6

The Government of the Federative Republic of Brazil shall issue each year up to 300 of the working holiday temporary visas mentioned in Article 5 to citizens of New Zealand, unless it determines otherwise. An adjustment to the number of working holiday temporary visas issued per annum shall not be regarded as a formal amendment to this Agreement and shall be confirmed through the diplomatic channel.

Article 7

Any citizen of New Zealand who holds a working holiday temporary visa issued pursuant to Article 5 and who is granted permission to enter Brazil on the basis of that visa shall be able to stay in the Federative Republic of Brazil and undertake paid employment pursuant to the terms of this Agreement for a non-renewable period of up to twelve (12) months from the date of entry into the Federative Republic of Brazil.

Article 8

1. The Government of the Federative Republic of Brazil shall require any citizen of New Zealand who has entered the Federative Republic of Brazil through the Scheme operating under this Agreement to comply with the laws and regulations

of the Federative Republic of Brazil and not to engage in employment that is contrary to the purpose of this Agreement.

2. Participants in the Scheme operating under this Agreement are not permitted to engage in permanent employment during their stay and should not work for the same employer for more than three months during the course of their stay in the Federative Republic of Brazil. They may enroll in one training or study course of up to three months' duration during the course of their visit to the Federative Republic of Brazil.

Article 9

1. Within thirty days of arrival in the Federative Republic of Brazil, any citizen of New Zealand in possession of the work visa referred to in Article 5 must register with the nearest Federal Police office.
2. Citizens of New Zealand participating in the Scheme who wish to undertake paid employment may obtain, from any office of the Ministry of Labour and Employment, a labour and social security booklet. A labour and social security booklet shall be granted, free of charge, to any New Zealand citizen participating in the Scheme upon presentation of their passport and proof of their registration with the Federal Police.

III – GENERAL PROVISIONS

Article 10

Either of the Parties may refuse any particular application it receives.

Article 11

Either of the Parties may, consistent with its domestic law, refuse the entry into its territory of any person participating in the Scheme operating under this Agreement whom it may consider undesirable, or remove any such person from the country who has obtained entry under this Agreement.

Article 12

1. Either Party may, at any time, through diplomatic channels, request consultations on the provisions of this Agreement, including any proposed amendments to it. The other Party shall respond to the request within sixty days.
2. Any amendments mutually adopted following consultations pursuant to paragraph 1 of this Article shall be confirmed through an exchange of diplomatic

notes attesting completion of any domestic procedures required for entry into force of the amendment. The amendment shall enter into force on the date of receipt of the later note which confirms the amendments.

3. This Agreement shall be subject to a review after a period of two years from the date on which it enters into force and subsequently as requested by either Party.

Article 13

Either of the Parties may temporarily suspend this Agreement, in whole or in part, for reasons of public security, public order or public health or immigration risk. Any such suspension and the date of its effect shall be notified to the other Party through diplomatic channels and shall not affect any citizens of Brazil who are already in the territory of New Zealand and holding a valid temporary visa issued pursuant to this Agreement or any citizens of New Zealand already in the territory of the Federative Republic of Brazil and holding a valid working holiday temporary visa issued pursuant to this Agreement.

Article 14

Either of the Parties may terminate this Agreement by giving three months' prior written notice to the other Party.

Article 15

Each Party shall notify the other, by diplomatic note, of the completion of any domestic procedures required for entry into force of this Agreement. This Agreement shall enter into force on the date of the later notification.

Done at Auckland on this 28th day of August, 2008, in two original copies, in English and Portuguese, both texts being equally authentic.

FOR THE GOVERNMENT
OF NEW ZEALAND

FOR THE GOVERNMENT OF THE
FEDERATIVE REPUBLIC OF BRAZIL