

EMPLOYMENT

Agreement Between the
UNITED STATES OF AMERICA
and MAURITIUS

Effected by Exchange of Notes
Dated at Port Louis March 17
and June 13, 1997



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89-497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

“ . . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

MAURITIUS

Employment

*Agreement effected by exchange of notes
Dated at Port Louis March 17 and June 13, 1997;
Entered into force June 13, 1997.*

*The American Embassy to the Mauritian Ministry of Foreign Affairs,
International and Regional Cooperation*

No. 18

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs, International and Regional Cooperation of the Republic of Mauritius and with reference to its note number 104/96(1000/74/3)¹ has the honor to relay to the Ministry the text of a proposed bilateral work agreement.

The Department of State proposes to the Embassy of Mauritius that, on a reciprocal basis, dependents of employees of the United States Government assigned to official duty in Mauritius and dependents of employees of the Mauritian Government assigned to official duty in the United States be authorized to be employed in the receiving country.

For the purpose of this agreement, "dependents" shall include:

- Spouses,
- Unmarried dependent children under 21 years of age,
- Unmarried dependent children under 23 years of age who are in full-time attendance as students at a post-secondary educational institution, and
- Unmarried children who are physically or mentally disabled.

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of Mauritius in Washington to the Office of Protocol in the Department of State. Upon verification that the person is a dependent of an official employee of the Mauritian Government, the Mauritian Government will be informed by the Department of State that the dependent has permission to accept employment.

In the case of dependents who seek employment in Mauritius, the request shall be made by the United States Embassy in Mauritius to the Mauritian Ministry of Foreign Affairs, International and Regional Cooperation, which, after verification shall then inform the United States Embassy that the dependent may accept employment.

Dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving country in accordance with Article 31 of the Vienna Convention on diplomatic relations or the convention

¹ Not printed.

on the privileges and immunities of the United Nations,¹ or any other applicable International Agreement, enjoy no immunity from civil and administrative jurisdiction with respect to all matters arising out of such employment. Such dependents are also liable for payment on income and social security taxes or deductions on any remuneration received as a result on employment in the receiving state.

The Department of State further proposes that, if these understandings are acceptable to the Government of Mauritius, this note and the Government of Mauritius' reply concurring therein shall constitute an agreement between two governments which shall enter into force on the date of that reply note. This agreement shall remain in force until ninety days after the date of the written notification from either government to the other of intention to terminate.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs, International and Regional Cooperation of the Republic of Mauritius the assurances of its highest consideration.

Embassy of the United States of America,

Port Louis, March 17, 1997

¹ TIAS 7502, 6900; 23 UST 3227; 21 UST 1418.

*The Mauritian Ministry of Foreign Affairs, International and Regional
Co-operation to the American Embassy*

**MINISTRY OF FOREIGN AFFAIRS, INTERNATIONAL AND
REGIONAL CO-OPERATION**

No. 40/97(1000/74/3)

13 June 1997

The Ministry of Foreign Affairs, International and Regional Co-operation of the Republic of Mauritius presents its compliments to the Embassy of the United States of America and has the honour to inform the Embassy that the proposed bilateral work agreement outlined in its Note (No. 18) of 17 March 1997, is acceptable to the Government of Mauritius.

The Ministry therefore confirms that this Note constitutes an agreement between the Government of Mauritius and the Government of the United States of America that, on a reciprocal basis, dependents of employees of the Mauritian Government assigned to official duty in the United States and dependents of employees of the United States Government assigned to official duty in Mauritius be authorized to be employed in the receiving country.

For the purpose of this agreement, "dependents" shall include:

- Spouses,
- Unmarried dependent children under 21 years of age,
- Unmarried dependent children under 23 years of age who are in full attendance as students at a post-secondary educational institution, and
- Unmarried children who are physically or mentally disabled.

In the case of dependents who seek employment in Mauritius, the request shall be made by the United States Embassy in Mauritius to the Mauritian Ministry of Foreign Affairs, International and Regional Co-operation, which, after verification shall then inform the United States Embassy that the dependent may accept employment.

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of Mauritius in Washington to the Office of Protocol in the Department of State. Upon verification that the person is a dependent of an official employee of the Mauritian Government, the Mauritian Government will be informed by the Department of State that the dependent has permission to accept employment.

Dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving country in accordance with Article 31 of the Vienna Convention on diplomatic relations or the convention on the privileges and immunities of the United Nations, or any other applicable International Agreement, enjoy no immunity from civil and administrative jurisdiction with respect to all matters arising out of such employment. Such dependents are also liable for payment on income and social security taxes or deduction on any remuneration received as a result on employment in the receiving state.

This agreement shall enter into force on 13 June 1997 and shall remain in force until ninety days after date of the written notification from either government to the other of intention to terminate.

The Ministry of Foreign Affairs, International and Regional Co-operation of the Republic of Mauritius avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Embassy of the United States of America
Rogers House
President John Kennedy Street
PORT LOUIS