

NATIONAL PARLIAMENT RESOLUTION NO. 11/2009
OF 6 MAY

WHICH APPROVES, FOR ADHESION, THE AGREEMENT ON GRANTING OF VISA FOR
NATIONAL STUDENTS FROM THE COMMUNITY OF PORTUGUESE- SPEAKING
COUNTRIES

On proposal of the Government pursuant to article 95.3(f) of the Constitution of the Republic, the National Parliament approves for adhesion the Agreement on Granting of Visa for National Students from the Community of Portuguese-Speaking Countries signed in Lisbon on 2 November 2007. The Portuguese version of such text is attached hereto.

Approved on 24 March 2009

The acting Speaker of the National Parliament,

Vicente da Silva Guterres

For publication

29 April 2009.

The President of the Republic,

Dr. José Ramos-Horta

**Agreement on Granting of Visa for National Students from the Community of
Portuguese-speaking Countries**

The Republic of Angola, the Federal Republic of Brazil, the Republic of Cape Verde, the Republic of Guinea-Bissau, the Republic of Mozambique, the Republic of Portugal, the Democratic Republic of S. Tome and Príncipe and the Democratic Republic of Timor-Leste, in their capacity as members of the Community of Portuguese-speaking Countries,

Considering that one of the main objectives of the Community of Portuguese-speaking Countries – CPLP – is to strengthen the ties among the Portuguese-speaking peoples and to that end, promote the adoption of measures that facilitate Citizenship and Movement of peoples within CPLP;

Considering that students are an important segment of the Community concerned deserving a specific legal framework and that the movement of students contributes to integration of peoples and to dynamism and consolidation of the said Community;
Acknowledging the need for a specific regulation, in the framework of such movement, both for citizens assuming the status of students and for the requirements for granting such status;

Considering also the Resolutions on matters of Citizenship and Movement as adopted by the CPLP Council of Ministers since the III Conference of Heads of State and Government held in Maputo in 2000;

The Republic of Angola, the Federal Republic of Brazil, the Republic of Cape Verde, the Republic of Guinea-Bissau, the Republic of Mozambique, the Republic of Portugal, the Democratic Republic of S. Tomé and Príncipe and the Democratic Republic of Timor-Leste, hereinafter referred to as “Parties”, agree on the following:

Article 1 **Object**

The Parties decide to adopt common norms for granting visa to national students from CPLP Member States.

Article 2 **Definitions**

1. For the purposes of the present Agreement:
 - a) Students shall mean citizens from a Member State accepted for or subscribed in an academic or technical-professional course with a minimum duration of 3 (three) months imparted in a recognised teaching institution located in another Member State.
 - b) Recognised teaching institution shall mean a public or private teaching institution recognised by the internal statutes of each Member State.
2. The authorities of the Member States shall maintain an up-dated list of the teaching institutions recognised by them in their electronic sites or shall keep the competent services of the above-mentioned teaching institutions informed of the up-dated list.

Article 3 **Delays**

1. Application for visa shall be submitted within 30 (thirty) days from the date of acceptance of the subscription by the recognised teaching institution as defined in article 2(b).
2. Decision on the application for visa shall be made at the shortest period of time and shall not take longer than 30 (thirty) days.
3. Visas for students shall have a minimum duration of 4 (four) months and a maximum duration of 1 (one) year.

4. Furthering the studies shall allow the application for renovation of visa to be presented 30 (thirty) days before the expiration of the validity of the original authorisation. To that effect, students shall provide evidence of school attendance and of subscription for the ensuing academic year in a recognised teaching institution.

Article 4

Required documents

1. For purposes of granting of visas for students of CPLP, the competent services of each Member state shall only require the documents indicated in the following list:
 - a) Travel document valid for a period longer than 6 (six) months as at the date of applying the respective visa and never shorter than the planned period of stay;
 - b) Two equal and current color photographs (3x 4 cm);
 - c) Document testifying acceptance of subscription in a recognised teaching institution;
 - d) Proof of means of subsistence;
 - e) Medical certificates in accordance with the requirements of the State of destination;
 - f) Criminal record certificate or equivalent, when required by the State of destination;
 - g) Medical health insurance or proof that the student is covered by another system guaranteeing him or her access to health care in the State of destination, where such medical health insurance is required by the State of destination;
2. Where the application for visa relates to an underage or a disabled person subject to exercise of paternal power or tutorship, the respective authorisation shall be produced.

Article 5

Suspension

1. Each Member State reserves the right to temporarily suspend the application of the present Agreement for internal reasons, for reasons of national security, for reasons of public health or of international obligations, in which case the Member State concerned shall immediately inform, by diplomatic way, the other Member States and the Secretariat of CPLP.
2. The suspension referred to in the preceding paragraph shall take effect as from the date of reception of the respective notice.

3. The suspension shall not prejudice the continuation and completion of the studies of students to whom the visa has already been granted pursuant to the present Agreement.

Article 6 Denunciation

1. Any Member State may denounce the present Agreement through notification to the Executive Secretary of CPLP who in turn shall immediately communicate such denunciation to the other Member States.
2. The denunciation shall take effect 60 (sixty) days after the date of reception of the notification by the Executive Secretary of CPLP.

Article 7 Authentic interpretation

1. Any doubts arising from the interpretation or application of the present Agreement shall be settled by consensus among the Member States.
2. The Member States shall exchange information and suggestions on appropriate measures taken for the good implementation of the present Agreement.

Article 8 Entry into force

1. The present Agreement shall enter into force on the first day of the month immediately after the date on which three Member States will have deposited with the Executive Secretariat of CPLP their instruments of ratification or equivalent documents binding them to the Agreement.
2. For each Member State that deposits the respective instrument of ratification or equivalent document binding that Member State with the Executive Secretariat after that day, the Agreement shall enter into force on the first day of the month immediately after the date of handover of the said instrument.

Done and signed in Lisbon on 2 November 2007.