



**ACORDO ENTRE O GOVERNO DA REPÚBLICA FEDERATIVA DO BRASIL E O
GOVERNO DA MALÁSIA RELATIVO A ISENÇÃO PARCIAL
DE EXIGÊNCIA DE VISTOS**

O Governo da República Federativa do Brasil

e

O Governo da Malásia
(doravante denominados "Partes Contratantes")

Considerando o interesse de ambos os países em promover relações amistosas entre a República Federativa do Brasil e a Malásia, e

Desejosos de facilitar a entrada de cidadãos da República Federativa do Brasil e de cidadãos da Malásia em seus respectivos territórios,

Acordam o seguinte

ARTIGO 1

1. Um cidadão de cada uma das Partes Contratantes, que seja portador de um passaporte diplomático, oficial ou comum válido, não será obrigado a obter um visto a fim de entrar no território da outra Parte Contratante com os propósitos e períodos de permanência especificados no Apêndice do Acordo. As Partes Contratantes poderão, ocasionalmente, incluir adendos aos termos especificados no Apêndice, uma vez acordado mutuamente, o que deverá ser efetuado por meio de troca de Notas.

2. Não obstante o disposto no parágrafo 1, um cidadão de cada Parte Contratante que pretenda entrar o território da outra Parte Contratante para fins e períodos de permanência que não os especificados no Apêndice deste Acordo será obrigado a obter um visto.

ARTIGO 2

1. Cidadãos brasileiros portadores de passaportes diplomáticos ou oficiais válidos que sejam membros de uma Missão diplomática ou consular ou que sejam representantes da República Federativa do Brasil junto a uma organização internacional na Malásia deverão ter permissão para entrar e permanecer no território da Malásia pelo período de sua Missão sem necessidade de obter um visto. Os nomes das pessoas em apreço deverá ser notificado ao Governo malásio dentro de um prazo de 30 (trinta) dias a fim de que tal isenção seja registrada em seus passaportes.

2. Cidadãos malásios portadores de passaportes diplomáticos ou oficiais válidos que sejam membros de uma Missão diplomática ou consular ou que sejam representantes da Malásia junto a uma organização na República Federativa do Brasil deverão ter permissão para entrar e permanecer no território da República Federativa do Brasil pelo período de sua Missão sem necessidade de obter um visto. Os nomes das pessoas em apreço deverá ser notificado ao Governo brasileiro dentro de um prazo de 30 (trinta) dias a fim de que tal isenção seja registrada em seus passaportes.

ARTIGO 3

As famílias dos membros da Missão diplomática ou Consular, ou dos representantes junto a uma organização internacional conforme mencionado no Artigo 2 deverão ter permissão para iguais entradas e permanências, e deverão ser objeto de igual notificação, caso sejam portadoras de passaportes diplomáticos ou oficiais, brasileiros ou malásios, válidos.

ARTIGO 4

A isenção das exigências de vistos nos termos Acordo não deverá afetar o cumprimento das leis e regulamentos de cada Parte Contratante por parte dos cidadãos da outra Parte Contratante que possam entrar em seu território.

ARTIGO 5

Portadores de passaportes de cada Parte Contratante conforme mencionado nos Artigos de 1 a 3 poderão entrar no território da outra Parte Contratante em todos os pontos de entrada abertos ao trânsito internacional de passageiros

ARTIGO 6

Este Acordo não limita o direito de cada Parte Contratante de negar entrada ou encurtar a permanência dos cidadãos da outra Parte Contratante considerados indesejáveis.

ARTIGO 7

Para os fins deste Acordo, cada Parte Contratante deverá trocar, pela via diplomática, modelos de seus passaportes válidos, de uso corrente, incluindo descrição detalhada de tais documentos, pelo menos 30 (trinta) dias antes de sua entrada em uso.

ARTIGO 8

Cada Parte Contratante reserva-se o direito de suspender temporariamente, em todo ou em parte, por razões de segurança, ordem pública e saúde pública, a implementação deste Acordo, que deverá ter efeito 30 (trinta) dias após notificação feita à outra Parte Contratante por via diplomática.

ARTIGO 9

Cada Parte Contratante poderá solicitar por escrito, por via diplomática , uma revisão ou emenda deste Acordo, em todo ou em parte. Qualquer revisão ou emenda que tenha sido acordada pelas Parte Contratantes deverá entrar em vigor em data a ser mutuamente estabelecida e, conseqüentemente, deverá fazer parte deste Acordo.

ARTIGO 10

Qualquer diferença ou divergência decorrente da implementação do disposto neste Acordo deverá ser resolvida amigavelmente, por consulta ou negociação, entre as Parte Contratantes, sem participação de terceiros ou tribunal internacional.

ARTIGO 11

1. Cada Parte Contratante deverá notificar a outra, por meio de Notas diplomáticas, da conclusão das formalidades internas necessárias para a entrada em vigor do presente Acordo, que deverá ocorrer na data da última notificação.
2. O presente Acordo deverá permanecer em vigor por um período indefinido e poderá ser denunciado por consentimento mútuo das Partes Contratantes. A denúncia deverá entrar em vigor 90 (noventa) dias após o recebimento da última notificação.
3. O presente Acordo deverá ser emendado por meio de Notas diplomáticas mediante entendimento mútuo entre as Parte Contratantes. As emendas ao presente Acordo deverão entrar em vigor na forma indicada no parágrafo 1 do presente Artigo.

Feito em Kuala Lumpur, aos 26 dias do mês de abril de 1996, em seis originais: dois em português, dois em malásio e dois em inglês, sendo todos os textos igualmente autênticos. Em caso de qualquer divergência em qualquer dos textos, prevalecerá a versão em inglês.


PELO GOVERNO DA REPÚBLICA
FEDERATIVA DO BRASIL
Luiz Felipe Lampreia


PELO GOVERNO DA MALÁSIA

APÊNDICE

Propósitos e períodos de permanência mencionados no parágrafo 1

<u>Propósito da permanência</u>	<u>Período de permanência</u>
1. Férias	90 dias
2. Missão Oficial	90 dias
3. Visita a parentes	90 dias

PERJANJIAN
ANTARA
KERAJAAN PERSEKUTUAN REPUBLIK BRAZIL
DENGAN
KERAJAAN MALAYSIA
MENGENAI
PENGHAPUSAN SEPARA KEPERLUAN VISA

KERAJAAN PERSEKUTUAN REPUBLIK BRAZIL DAN KERAJAAN MALAYSIA
kemudian daripada ini disebut "Pihak-Pihak Pejanji",

MEMANDANGKAN hasrat kedua-dua negara untuk menggalakkan hubungan
persahabatan antara Persekutuan Republik Brazil dan Malaysia, dan

BERHASRAT untuk memudahkan kemasukan warganegara Persekutuan
Republik Brazil dan warganegara Malaysia ke dalam negara masing-masing,

TELAH BERSETUJU SEPERTI BERIKUT:

PERKARA 1

1. Seorang warganegara mana-mana satu Pihak Pejanji, yang memiliki paspot diplomatik, rasmi atau biasa yang sah, tidaklah dikehendaki mendapatkan visa untuk memasuki wilayah Pihak Pejanji yang satu lagi bagi tujuan dan tempoh masa tinggal sebagaimana yang dinyatakan dalam Lampiran kepada Perjanjian ini. Pihak-Pihak Pejanji boleh dari semasa ke semasa menambah butir-butiran yang dinyatakan dalam Lampiran, sebagaimana yang dipersetujui bersama, yang hendaklah dibuat melalui pertukaran Nota-nota.

2. Walau apapun peruntukan Perenggan 1, seorang warganegara mana-mana satu Pihak Pejanji yang bercadang untuk memasuki wilayah Pihak Pejanji yang satu lagi bagi tujuan dan tempoh masa tinggal selain daripada yang dinyatakan dalam Lampiran kepada Perjanjian ini hendaklah dikehendaki mendapatkan visa.

PERKARA 2

1. Warganegara Brazil yang memegang paspot diplomatik atau rasmi yang sah, yang menganggotai misi diplomatik atau konsular, atau yang mewakili Persekutuan Republik Brazil ke sesuatu organisasi antarabangsa di Malaysia hendaklah dibenarkan memasuki dan tinggal di dalam wilayah Malaysia bagi tempoh misi mereka tanpa keperluan mendapatkan visa. Nama-nama orang tersebut hendaklah, dalam tempoh tigapuluh (30) hari selepas ketibaan mereka, diberitahu kepada Kerajaan Malaysia, supaya pengecualian tersebut diperakukan ke dalam paspot mereka.

2. Warganegara Malaysia yang memegang paspot diplomatik atau rasmi yang sah yang menganggotai misi diplomatik atau konsular, atau yang mewakili Malaysia ke sesuatu organisasi antarabangsa di Brazil hendaklah dibenarkan memasuki dan tinggal di dalam wilayah Malaysia bagi tempoh misi mereka tanpa keperluan mendapatkan visa. Nama-nama orang tersebut hendaklah, dalam tempoh tigapuluh (30) hari selepas ketibaan mereka, diberitahu kepada Kerajaan Brazil, supaya pengecualian tersebut diperakukan di dalam paspot mereka.

PERKARA 3

Keluarga anggota misi diplomatik atau konsular, atau wakil ke sesuatu organisasi antarabangsa yang disebut dalam Perkara 2 hendaklah diberi kebenaran masuk dan tinggal yang sama, dan hendaklah tertakluk kepada pemberitahuan yang sama, jika mereka adalah pemegang paspot diplomatik atau rasmi Brazil atau Malaysia yang sah.

PERKARA 4

Penghapusan keperluan visa di bawah terma-terma Perjanjian ini hendaklah tidak menjejaskan pemakaian undang-undang dan peraturan-peraturan setiap Pihak Pejanji ke atas warganegara Pihak Pejanji yang satu lagi yang mungkin memasuki wilayahnya.

PERKARA 5

Pemegang paspot mana-mana satu Pihak Pejanji seperti yang dinyatakan di dalam Perkara 1 hingga 3, boleh memasuki wilayah Pihak Pejanji yang satu lagi pada semua tempat kemasukan yang dibuka kepada trafik penumpang antarabangsa.

PERKARA 6

Perjanjian ini tidak membatasi hak mana-mana satu Pihak Pejanji untuk menolak kemasukan atau memendekkan tempoh tinggal warganegara Pihak Pejanji yang satu lagi yang dianggapnya tidak diingini.

PERKARA 7

1. Bagi maksud Perjanjian ini, setiap Pihak Pejanji hendaklah membuat pertukaran spesimen paspot mereka yang sah, melalui saluran diplomatik, termasuk suatu perihal terperinci dokumen itu, yang kini digunakan, sekurang-kurangnya tiga puluh (30) hari sebelum Perjanjian ini mula berkuatkuasa.
2. Setiap Pihak Pejanji hendaklah juga menghantar kepada pihak yang satu lagi, melalui saluran diplomatik, spesimen paspotnya yang baru atau yang diubahsuai, termasuk suatu perihal terperinci dokumen itu, sekurang-kurangnya tiga puluh (30) hari sebelum ia mula berkuatkuasa.

PERKARA 8

Setiap Pihak Pejanji berhak atas sebab-sebab keselamatan, ketenteraman awam atau kesihatan awam untuk menggantung secara sementara, sama ada keseluruhannya atau sebahagiannya, pelaksanaan Perjanjian ini, yang hendaklah berkuatkuasa tiga puluh (30) hari selepas pemberitahuan telah diberi kepada Pihak Pejanji yang satu lagi melalui saluran diplomatik.

PERKARA 9

Mana-mana satu Pihak Pejanji boleh meminta secara bertulis, melalui saluran diplomatik, suatu kajian semula atau pindaan kesemua atau sebahagian Perjanjian ini. Apa-apa kajian semula atau pindaan yang telah dipersetujui oleh Pihak-Pihak Pejanji, hendaklah mula berkuatkuasa pada suatu tarikh yang akan dipersetujui bersama dan hendaklah dengan sewajarnya menjadi sebahagian daripada Perjanjian ini.

PERKARA 10

Apa-apa perbezaan atau pertikaian yang berbangkit daripada pelaksanaan peruntukan-peruntukan Perjanjian ini hendaklah diselesaikan secara baik melalui urusbicara dan perundingan antara Pihak-Pihak Pejanji tanpa rujukan kepada mana-mana pihak ketiga atau tribunal antarabangsa.

PERKARA 11

1. Setiap Pihak Penjanji hendaklah memberitahu satu sama lain, melalui nota-nota diplomatik, mengenai penyempurnaan tatacara dalaman yang perlu bagi menguatkuasakan Perjanjian ini, yang mana hendaklah dilakukan pada tarikh pemberitahuan terakhir.
2. Perjanjian ini hendaklah berkuatkuasa bagi suatu tempoh tidak ditentukan dan boleh ditamatkan oleh mana-mana Pihak Pejanji secara kebenaran bersama. Penamatan ini hendaklah mula berkuatkuasa sembilan puluh (90) hari selepas penerimaan pemberitahuan terakhir.
3. Perjanjian ini hendaklah dipinda melalui nota-nota diplomatik dengan cara persefahaman bersama antara Pihak-Pihak Pejanji. Pindaan kepada Perjanjian ini hendaklah mula berkuatkuasa dalam bentuk yang dinyatakan dalam Perenggan 1 Perkara ini.

DIBUAT di KUALA LUMPUR pada 26 haribulan April dalam tahun satu ribu sembilan ratus sembilan puluh enam dalam enam (6) teks asal; dua dalam Bahasa Malaysia dua dalam bahasa Portugis dan dua dalam Bahasa Inggeris, kesemua teks adalah sama sahiknya. Sekiranya ada apa-apa perbezaan dalam mana-mana teks, teks Inggeris hendaklah mengatasi yang lain.



BAGI
KERAJAAN PERSEKUTUAN
REPUBLIK BRAZIL
Luiz Felipe Lampreia



BAGI
KERAJAAN MALAYSIA

LAMPIRAN

TUJUAN DAN TEMPOH TINGGAL YANG DISEBUT DI DALAM PERKARA 1

<u>MAKSUD TINGGAL</u>	<u>TEMPOH TINGGAL</u>
1. Percutian	90 hari
2. Tugas Rasmi	90 hari
3. Melawat saudara-mara	90 hari

AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC
OF BRAZIL AND THE GOVERNMENT OF MALAYSIA CONCERNING
THE PARTIAL ABOLITION OF VISA REQUIREMENTS

The Government of the Federative Republic of Brazil

and

The Government of Malaysia
(hereinafter referred to as the "Contracting Parties"),

Considering the interest of both countries to promote friendly relations between Federative Republic of Brazil and Malaysia, and

Desiring to facilitate the entry of the citizens of the Federative Republic of Brazil and the citizens of Malaysia into one another's countries,

Have agreed as follows:

ARTICLE I

1. A citizen of either Contracting Party, who is in possession of a valid diplomatic, official or ordinary passport, shall not be required to obtain a visa in order to enter the territory of the other Contracting Party for the purposes and period of stay as specified in the Appendix to the Agreement. The Contracting Parties may add to the items specified in the Appendix from time to time as may be mutually agreed upon, which shall be effected through the exchange of Notes.

2. Notwithstanding the provisions in paragraph 1, a citizen of either Contracting Party who intends to enter the territory of the other Contracting Party for the purposes and period of stay other than those specified in the Appendix to this Agreement shall be required to obtain a visa.

ARTICLE 2

1. Brazilian citizens holding valid diplomatic or official passports who are members of diplomatic or consular Mission or who are representatives of the Federative Republic of Brazil to an international organization in Malaysia shall be permitted to enter and stay in the territory of Malaysia for the period of their mission without the necessity of obtaining a visa. The names of said persons shall, within a period of 30 (thirty) days after their arrival, be notified to the Malaysian Government, so that such exemption be certified onto their passports.

2. Malaysian citizens holding valid diplomatic or official passports who are members of diplomatic or consular Mission or who are Representatives of Malaysia to an international organization in the Federative Republic of Brazil shall be permitted to enter and stay in the territory of the Federative Republic of Brazil for the period of their mission without the necessity of obtaining a visa. The names of said persons shall, within a period of 30 (thirty) days after their arrival, be notified to the Brazilian Government , so that such exemption be certified onto their passports.

ARTICLE 3

The families of the members of the diplomatic or consular Mission, or of the representatives to an international organization mentioned in Article 2 shall be permitted the same entry and stay, and shall be object to the same notification, if they are holders of valid Brazilian or Malaysian diplomatic or official passports.

ARTICLE 4

The abolition of the visa requirements under the terms of this Agreement shall not affect the application of the laws and regulations of each Contracting Party on the citizens of the other Contracting Party who may enter its territory.

ARTICLE 5

Holders of passports of either Contracting Party as mentioned in Article 1 to 3 may enter the territory of the other Contracting Party at all points of entry open to international passengers' traffic.

ARTICLE 6

This Agreement does not curtail the right of either Contracting Party to deny entry or shorten stay of citizens of the other Contracting Party considered undesirable.

ARTICLE 7

1. For the purposes of this Agreement, each Contracting Party shall exchange specimens of their valid passports, through diplomatic channels, including detailed description of such documents, currently used, at least 30 (thirty) days before the entry into force of this Agreement.

2. Each Contracting Party shall also transmit to the other through diplomatic channels specimens of its new or modified passports, including a detailed description of such documents, at least 30 (thirty) days before it is brought into force.

ARTICLE 8

Each Contracting Party reserves the right for reasons of security, public order or public health to suspend temporarily, either in whole or in part, the implementation of this Agreement which shall take effect 30 (thirty) days after notification has been given to the other Contracting Party through diplomatic channels

ARTICLE 9

Either Contracting Party may request in writing, through diplomatic channels, a revision or amendment of all or part of this Agreement. Any revision or amendment which has been agreed to by the Contracting Parties shall come into effect on a date to be mutually agreed upon and shall accordingly form part of this Agreement.

ARTICLE 10

Any difference or disputing arising out of the implementation of the provisions of this Agreement shall be settled amicably by consultation or negotiation between the Contracting Parties, without reference to any third party or international tribunal.

ARTICLE 11

1. Each Contracting Party shall notify each other, through diplomatic Notes, on the conclusion of the internal formalities necessary to the entry into force of the present Agreement, which shall occur on the date of the last notification.
2. The present Agreement shall remain in force for an indefinite period and may be terminated by mutual consent of the Contracting Parties. The termination shall come into effect 90 (ninety) days after the receipt of the last notification.
3. The present Agreement shall be amended through diplomatic Notes by means of mutual understanding between the Contracting Parties. The amendments to the present Agreement shall enter into force in the form indicated on paragraph 1 of the present Article..

Done at Kuala Lumpur, on this 26th day of April, 1996, in six originals: two in Portuguese, two in Bahasa Malaysia and two in English, all texts being equally authentic. In the event of any divergence in any of the texts, the English text shall prevail.



FOR THE GOVERNMENT OF THE
FEDERATIVE REPUBLIC OF BRAZIL

Luiz Felipe Lampreia



FOR THE GOVERNMENT OF
MALAYSIA

APPENDIX

The purposes and period of stay referred to in paragraph 1

<u>Purposes of stay</u>	<u>Period of stay</u>
1. Vacation	90 days
2. Official Duty	90 days
3. Visiting Relatives	90 days