

Complementary protocol on movement of natural persons for business purposes

Article 1

Entry and temporary stay related procedural commitments

1. Parties should ensure that the quality of the service offered to natural persons seeking the entry and temporary stay under the agreement [TISA] is of a high standard and follows good administrative practices.

2. Each Party shall ensure that fees charged by its competent authorities on application for entry and temporary stay do not in themselves nullify or impair the commitment regarding the entry and temporary stay under the agreement [TISA].

3. Each Party shall ensure as expeditious as possible processing times that do not constitute unnecessary barriers to trade in services.

[4. When an application is denied, the competent authorities of each Party shall notify the applicant of the denial and, where available, give an opportunity to appeal or request a review of the decision.]

Article 2

Cooperation on return and readmission

1. The Parties acknowledge that the enhanced movement of persons following from the provisions of Article 1 of the present Protocol requires full cooperation on return and readmission of persons staying on the territory of a Party in contravention of its rules for entry and stay.

2. To this end, in the event that a Party has concluded, or will conclude, a bilateral agreement on return and readmission of own nationals with another Party (“bilateral agreement”), the Party, which considers that its bilateral agreement is not being implemented by the other Party to that bilateral agreement, may suspend the application of the provisions of Article 1 of the present Protocol with regard to the service suppliers of the latter.

3. To this end, in the event that a Party refuses to negotiate a readmission agreement at the request of another Party over a protracted period of time, or such negotiations are not completed within a reasonable period of time, the requesting Party in this regard may suspend the application of the provisions of Article 1 of the present Protocol with regard to the service suppliers of the latter.