

EMPLOYMENT

Agreement Between the UNITED STATES OF AMERICA and TRINIDAD AND TOBAGO

Effectuated by Exchange of Notes
Dated at Port of Spain May 15,
1990 and July 23, 1992



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.”

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TRINIDAD AND TOBAGO

Employment

*Agreement effected by exchange of notes
Dated at Port of Spain May 15, 1990 and July 23, 1992;
Entered into force July 23, 1992.*

*The American Embassy to the Ministry of External Trade and
International Trade of Trinidad and Tobago*

No. 093

The Embassy of the United States of America presents its compliments to the Ministry of External Affairs and International Trade of the Republic of Trinidad and Tobago and has the honor to propose to the Government of Trinidad and Tobago that, on a reciprocal basis, dependents of employees of the United States Government assigned to official duty in the Republic of Trinidad and Tobago and dependents of employees of the Government of Trinidad and Tobago assigned to official duty in the United States be authorized to be employed in the receiving country.

In this regard, it is proposed that an agreement be reached according to the following terms:

I. It is understood for the purposes of this agreement that dependents shall include: spouse; 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.

II. For the purposes of this agreement, it is understood that employees assigned to official duty includes diplomatic agents, consular officers, and members of the support staffs assigned to diplomatic missions, consular offices and international organizations.

In the case of dependents who seek employment in the United States, an official request must be made by the Embassy of Trinidad and Tobago 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 Government of the Republic of Trinidad and Tobago, the Embassy of Trinidad and Tobago will be promptly informed by the Government of the United States that the dependent has permission to accept employment. No costs will be assessed to either dependents or their employers under this agreement.

In the case of dependents of employees who seek employment in Trinidad and Tobago, an official request must be made by the United States Embassy in Port of Spain to the Ministry of External Affairs and International Trade of the Republic of Trinidad and Tobago, which, after verification, shall then promptly inform the United States Embassy that the dependent may accept employment. No costs will be assessed to either dependents or their employers under this agreement.

TIAS 11924

The United States Government and the Government of the Republic of Trinidad and Tobago wish to clarify their understanding that 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 in accordance with the Convention on the Privileges and Immunities of the United Nations,¹ or any other applicable international agreement, have no immunity from civil and administrative jurisdiction with respect to matters arising out of such employment. Such dependents are also liable for payment of income and social security taxes on any remuneration received as a result of employment in the receiving state.

The Department of State further proposes that, if these understandings are acceptable to the Government of the Republic of Trinidad and Tobago, this note and the Government of the Republic of Trinidad and Tobago's reply concurring therein shall constitute an agreement between our 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 the intention to terminate.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of External Affairs and International Trade of the Republic of Trinidad and Tobago the assurances of its highest consideration.

Embassy of the United States of America,
Port of Spain, May 15, 1990.

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

*The Ministry of Foreign Affairs of Trinidad and Tobago to the
American Embassy*

No. 775

The Ministry of Foreign Affairs of the Republic of Trinidad and Tobago presents its compliments to the Embassy of the United States of America and has the honour to refer to the Embassy's Note No. 093 of 15 May, 1990 proposing that on a reciprocal basis, dependents of employees of the United States Government assigned to official duty in the Republic of Trinidad and Tobago and dependents of employees of the Government of the Republic of Trinidad and Tobago assigned to official duty in the United States of America be authorized to be employed in the receiving country. The Ministry wishes to advise that the agreement as proposed is acceptable to the Government of the Republic of Trinidad and Tobago subject to an amendment in paragraph 3 of Section II as follows:-

“The Ministry of External Affairs and International Trade” to be substituted by “the Ministry responsible for Foreign Affairs.”

The Ministry of Foreign Affairs of the Republic of Trinidad and Tobago avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

PORT OF SPAIN 23 July, 1992