

**AGREEMENT
ON
SIMPLIFYING VISA PROCEDURES
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF INDIA
AND
THE GOVERNMENT OF THE REPUBLIC OF KOREA**

The Government of the Republic of India and the Government of the Republic of Korea (hereinafter collectively referred to as "the Parties");

Considering the desire of both countries to strengthen bilateral relations based on friendship and mutual understanding;

Desirous of facilitating contacts between nationals of the two countries; and

Recognizing the need to simplify their respective visa procedures subject to their national laws and regulations;

Have agreed as follows:

Article 1 Business-related Visas

1. For the purpose of this Article:

- a) "business visitor" means a business person who travels to the other country in order to carry on trade, to establish an industrial/business venture, to explore the possibilities to set up such an industrial/business venture, to purchase/sell industrial products, or to carry out other business/investment related activities; and
- b) "business-related visa" means a visa issued to a business visitor.

2. Each Party may issue a multiple entry business-related visa valid for five (5) years to a business visitor of the other country who submits a letter of request from a company duly recognized by that Party, or from a chamber of commerce and industry, business and trade promotion council, or business organization, which are duly recognized by that Party. The period of stay of such a Korean business visitor in the Republic of India during each visit shall not exceed one hundred eighty (180) consecutive days and the period of stay of such an Indian business visitor in the Republic of Korea during each visit shall not exceed ninety (90) consecutive days.

3. Each Party may issue a multiple entry business-related visa to a business visitor of the other country who is not covered in paragraph 2 of this Article but submits the documents referred to in Article 6 as follows:

- a) The Government of the Republic of India may issue a multiple entry business-related visa valid for one (1) year with a period of stay of one hundred eighty (180) consecutive days during each visit to such a Korean business visitor; and
- b) The Government of the Republic of Korea may issue a multiple entry business-related visa valid for three (3) years with a period of stay of ninety (90) days to such an Indian business visitor who travels to establish a company to develop and sell resource and energy or to have consultations or conclude a contract. In addition, the Government of the Republic of Korea may issue a multiple entry business-related visa valid for one (1) year with a period of stay of ninety

(90) days to such an Indian business visitor who travels to establish a domestic branch of foreign company or a foreign investment company or to perform importing and exporting activities.

Article 2

Employment-related Visas

1. For the purpose of this Article:
 - a) "employment visitor" means a skilled and qualified person who travels to the other country and is engaged or appointed at skilled positions by a company or an institution duly registered in that other country, on an employment or contract basis, such as technical expert, executive, manager, etc. "Employment visitor" also includes intra-corporate transferees and professionals; and
 - b) "employment-related visa" means a visa issued to an employment visitor.
2. Each Party may issue a multiple entry employment-related visa to an employment visitor of the other country who travels in pursuance of bilateral arrangements between the Parties, their agencies or other institutions duly recognized by the Parties, including the arrangements on cultural or academic cooperation in particular. Such visa shall be valid for the period stated in such bilateral arrangements or five (5) years, whichever is less.
3. Each Party may issue a multiple entry employment-related visa to an employment visitor of the other country not covered in paragraph 2, which is valid for three (3) years or the term of assignment, whichever is less. In case of the issue of Indian employment-related visas to such Korean employment visitors, a requirement of minimum salary including allowances and benefits of US\$25,000 per annum or equivalent will apply. Korean companies/institutions concerned should clearly indicate in the employment contract or official document issued by the employer –(i) the salary and the allowances being paid in cash and (ii) all other allowances and benefits such as rent-free accommodation etc. which would be taken into account for the purpose of working out income tax payable by the employee. Such allowances and benefits should also be quantified and indicated in the employment contract or official document issued by the employer.
4. Each Party shall grant extensions of stay on a year to year basis, after the expiration of the initial stay, in accordance with its domestic procedures, to the employment visitor of the other country who entered the national territory of that Party with an employment-related visa and applies for such extension submitting necessary documents as referred to in Article 9. However, if the remaining term of assignment is less than one (1) year, the period of stay may be extended as much as the remaining term. Those who enter the other country with the employment-related visa shall be, upon their foreigners registration, granted the initial stay for one (1) year within the term of validity of the employment-related visa subject to submission of all required documents.

5. The Parties may issue to family members (spouse, minor children) of the employment visitor mentioned in paragraphs 2 and 3, multiple-entry visas co-terminus with employment-related visas issued to the principal visa holder upon the receipt of proof of their relationship. The written entries in the passport which indicate their family relationship may be considered as sufficient proof of the relationship.

Article 3 Tourist Visa and Temporary Visitors Visa

Each Party may issue a multiple entry tourist visa to a national of the other country, which is valid for up to five (5) years with the period of stay of up to ninety (90) consecutive days per visit.

Article 4 Student Visa

1. Each Party may issue a student visa which permits multiple entry or entry up to three times in a year to a national of the other country, which is valid for up to five (5) years, or the period of the course of study, whichever is less, on the receipt of a letter of confirmed admission from an educational institution duly authorized by that Party and a financial certificate that covers the tuition, traveling expenses and other expenditure.

2. There will be no restriction with reference to the number of courses a student may attend in one institution or multiple institutions, provided that the institutions are duly authorized by the Party which issues the student visa. In case a student wishes to change a course midway and join another course, the validity of the residence permit will be adjusted to the duration of the latter course.

Article 5 Other visas

In addition to the aforementioned visas, each Party may issue other relevant visas to nationals of the other country, such as journalists, members of a delegation, participants in international sports competitions and qualified companions, family members and relatives of a person who is staying in its country.

Article 6 Required Documents

The documents listed below shall be considered as sufficient to prove the purpose of travel of a national of a Party to the national territory of the other Party. Either Party shall not demand additional proof related to the visa listed below and shall issue the visa in accordance with the simplified procedures set forth in this Agreement.

A. Business-related visa

- i) Requirements for business visitors covered by paragraph 2 of Article 1
 - a letter of request from a company duly recognized by the Party which issues that visa or from a chamber of commerce and industry, business and trade promotion council, or business organization, which are duly recognized by the aforementioned Party;
- ii) Requirements for business visitors not covered by paragraph 2 of Article 1:
 - an invitation letter from the other country's inviter enclosing a copy of Certificate of Business Registration of the inviter;
 - an introductory letter from the visa applicant's employer in his/her country that indicates his/her holding of office in the employer's company; and
 - a certificate of tax payment of the visa applicant or his/her company.

B. Employment-related visa

- i) Requirements for the entry into the Republic of India:
 - a valid employment contract as per conditions laid in Article 2
- ii) Requirements for the entry into the Republic of Korea:
 - (a) requirements for a visa applicant who is an intra-corporate transferee
 - order of transfer from a holding company of the visa applicant and a certificate of the visa applicant's holding of office there of more than one (1) year; and
 - documents on establishment and activities of the company's branch or liaison office in the Republic of Korea.
 - (b) requirements for a visa applicant who is a contractual service supplier or work for a contractual service supplier
 - documents issued by the visa applicant's employer which proves the visa applicant's holding of office belonging to a company or an institution duly registered in the Republic of India (including documents on the establishment of such a company or an institution); and
 - documents that prove the conclusion of a service provider contract with a company or an institution duly registered in the Republic of Korea
 - (c) requirements for a visa applicant who is an independent professional
 - documents that prove the conclusion of the contract between the visa applicant and a company or an institution duly registered in the Republic of Korea; and
 - the visa applicant's degree, certificate of a relevant field, and documents indicating his/her career of more than one (1) year

C. Student visa

- a letter of confirmed admission from an educational institution duly authorized by the Party which issues the student visa; and
- a financial certificate that covers the tuition, traveling expenses and other expenditure.

- D. Journalist visa
- a certificate or other documents issued by a duly authorized professional institution that can prove the visa applicant is a qualified journalist; and
 - documents issued by an employer of the visa applicant indicating the purpose of his/her travel is to collect and report news data

E. Short-term visitor visa

i) Tourists

- income tax returns of the previous two years or documents that prove the visa applicant's ability to afford expenses for traveling to the other country, such as bank statement of the last six months. In case of students of an educational institution duly authorized by the other Party who are under the age of 30, financial documents of their parents would suffice.

In case of family members (spouse, children and parents) of the principal visa applicants, financial documents of the principal applicants would suffice. Documents issued by that person's government authorities that confirm the visa applicant as a family member, including entries in the passport may be considered as sufficient proof of the relationship.

Each Party may also choose to waive the requirement of these documents.

ii) Members of a Delegation participating in conferences, consultations, negotiations, exchange programs, or events held by international organizations held in the other country

- an official letter of invitation issued by the relevant authorities that proves the visa applicant is a member of the delegation

iii) Participants in international sports competitions and qualified companions

- a letter of request from the official managing group of such competitions

iv) Family members and relatives of a person who is staying for a long period (in case of the stay in the Republic of India more than 180 days, in case of the stay in the Republic of Korea more than 90 days) in the other country, such as spouse, children, parents, siblings, grandparents or grandchildren, provided that those family members and relatives have the same nationality as that person's nationality

- documents issued by that person's government authorities that confirm the visa applicant as a family member or relative, including entries in the passport; and
- a copy of Foreigners Registration Card or the visa of that person

F. Long-term visitor visa for family members of a person who has a long-term visa, such as a business-related visa or an employment-related visa

- documents issued by that person's government authorities that confirm the visa applicant as a family member, including entries in the passport; and
- a copy of Foreigners Registration Card of that person

Article 7
Processing Period

1. Each Party will, within a reasonable period not exceeding five (5) working days after the receipt of the visa application and other necessary document for issuing the visa according to its domestic laws and regulations, inform the applicant of the decision concerning his/her application.
2. When an additional examination is required, the period referred to in paragraph 1 may be extended up to ten (10) working days, and such extension shall be notified to the applicant or applicant's representative.

Article 8
Registration of Foreigners

1. If a national of either Party has valid documents and a visa that does not require mandatory registration, and applies for the entry into the national territory of the other Party and stays there for more than a certain period (in case of the stay in the Republic of India 180 days, in case of the stay in the Republic of Korea 90 days), he/she is required to register in that other Party within a certain period (in case of the stay in the Republic of India 14 days, in case of the stay in the Republic of Korea 90 days), and India's Foreigners Regional Registration Office (FRRO)/Foreigners Registration Office (FRO) and Korea's Immigration Office shall handle the foreigners registration within five (5) working days after the receipt of such application accompanied by all the required documents.
2. The Parties shall exchange the list of the simplified documentation which is required to be submitted when the other Party's nationals apply for foreigners registration in the national territory of the respective Parties within thirty (30) days from the entry into force of this Agreement. The Parties will review the list in the subsequent meeting of the Working Group established according to Article 10 of this Agreement.

Article 9
Extension of the Period of Stay

1. Each Party shall deal with a request for the renewal of length of stay for the national of the other Party within five (5) working days upon the receipt of all the required documents for the renewal.
2. When an additional examination is required for such renewal, the period referred to in the preceding paragraph may be extended up to twenty (20) working days. The applicant or his/her representative shall be notified of such extension immediately.

3. The Parties shall exchange the list of the simplified documentation which is required to be submitted when their respective nationals apply for the extension of period of stay in the national territory of the other Party within thirty (30) days from the entry into force of this Agreement. The Parties will review the list in the subsequent meeting of the Working Group established according to Article 10 of this Agreement.

Article 10 Working Group

1. The Parties shall establish a Working Group to discuss all the issues arising from this Agreement.

2. The Working Group shall consist of two or three government officials of the respective Parties who are in charge of visa policy and stay of foreigners and shall meet once every year, if required, alternately in the Republic of India and in the Republic of Korea.

Article 11 Suspension

The Parties reserve the right, for reasons of security, public order, public health or for failure to achieve reciprocal compliance of the terms of the Agreement by either Party, to suspend temporarily, either in whole or in part, the implementation of this Agreement upon written notification being given at least thirty (30) days in advance of the intended date of such suspension to the other Party through diplomatic channels.

Article 12 Revision/Amendments

Each Party may request in writing, through diplomatic channels, a revision or amendment of this Agreement either in whole or in part. Any revision or amendment which has been mutually agreed upon by the Parties shall enter into force on a date to be mutually agreed upon by the Parties and shall accordingly form an integral part of this Agreement.

Article 13 Settlement of Disputes

Any dispute, which may arise in connection with the interpretation or implementation of the Agreement, shall be settled amicably through mutual consultations.

Article 14
Additional Requirement for Visa Application

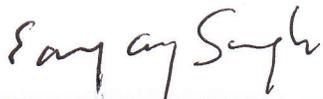
Under the exceptional circumstances in which there are reasonable grounds to believe that the issue of a visa may affect its national security, each Party may call for the submission of additional documents or put such applications for visas through appropriate additional examination, in accordance with the domestic laws of that Party.

Article 15
Entry into Force and Termination

1. This Agreement shall enter into force on the date of its signing.
2. It may be terminated by either Party by giving written notification to the other Party through diplomatic channels. The termination shall enter into force ninety (90) days after the date of such notification.
3. Those measures which are not specifically covered in this Agreement will be governed by the domestic laws and regulations of the respective Parties.

IN WITNESS WHERE OF the undersigned being duly authorized thereto by their respective Governments, have signed this Agreement.

Done at Seoul, Republic of Korea on the Twenty Fifth day of March in the year Two Thousand and Twelve in two originals each in the Hindi, Korean and English languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.



**FOR THE GOVERNMENT OF
THE REPUBLIC OF INDIA**



**FOR THE GOVERNMENT OF
THE REPUBLIC OF KOREA**