



MEMORANDUM OF UNDERSTANDING

BETWEEN:

The Government of French Polynesia, represented by Mr. Oscar Manutahi TEMARU, President of French Polynesia

AND:

The Government of the Pitcairn Islands, represented by Mr. Richard FELL, Governor of the Pitcairn Islands

(hereinafter called the « Participants »)

***WISHING** to recall and affirm the historical and fraternal bonds of friendship and solidarity which link the two communities of French Polynesia and Pitcairn,*

***DESIRING** to promote and strengthen exchanges and co-operation in the areas of economic, commercial, cultural and tourism development,*

***DETERMINED** to foster regular contact between Pitcairn and French Polynesia,*

***NOTING** that French Polynesia and Pitcairn share the same status of overseas countries and territories associated to the European Community,*

***CONSCIOUS** of the fact that the above objectives may be achieved through the establishment of a permanent shipping service between the island of Mangareva (Gambier island group) and the island of Pitcairn;*

HAVE REACHED THE FOLLOWING UNDERSTANDING:

Article 1. - The Participants commit themselves to create the conditions favourable to the development and strengthening of their economic, commercial, cultural and tourism relations.

Article 2. - In the matters under the responsibility of French Polynesia pursuant to the organic law No. 2004-192 of 27 February 2004 relating to the self-governing status of French Polynesia, the Government of French Polynesia commits itself to examine the requests for co-operation formulated by the authorities of Pitcairn and, as far as possible, to facilitate the details of implementation thereof.

The Government of the Pitcairn Islands commits itself to act in the same way in matters under its responsibility when responding to requests for co-operation formulated by the authorities of French Polynesia.

Article 3. - In order to promote economic and trade exchanges and to foster the opening up of their respective islands, the Participants acknowledge the importance of establishing a shipping service for passengers and cargo between the islands of Mangareva and Pitcairn, within the confines of the international and national regulations in force.

Article 4. - Regular shipping services carrying passengers and freight between the islands of Mangareva and Pitcairn shall operate six (6) times a year initially. These regular services may only be operated by vessels that are jointly approved by the Participants and hold the relevant authorisation, in accordance with the applicable regulations.

Nothing in this Memorandum of Understanding should be taken to inhibit or restrict the charter operations of other vessels between Mangareva and the island of Pitcairn as long as they are operating in accordance with the regulations in force in French Polynesia and the Pitcairn Islands.

Article 5. - All vessels operating between the islands of Mangareva and Pitcairn need to comply with the regulations in force, in particular regarding customs, sanitary and phytosanitary matters.

The Government of French Polynesia commits itself to take the measures necessary to enable the application of the customs procedures in force in French Polynesia, regarding both the arrivals to and departures from Mangareva.

In accordance with the regulations in force in French Polynesia, oil products intended for the fuelling of vessels operating international shipping services, and goods in transit transhipped through French Polynesia, are exempted from customs tax and duties.

Goods purchased in French Polynesia for re-export to the Pitcairn Islands are VAT free.

Article 6. - The Government of French Polynesia commits itself to submit to the Assembly of French Polynesia a bill allowing exemption from tax and duties under the “clearance for home use” customs system, with regard to the accommodation module and its trailer which the authorities of Pitcairn wish to acquire, for an approximate value of US\$300,000, with the aim of accommodating the passengers aboard the ship operating the service between the islands of Mangareva and Pitcairn.

Article 7. - The Participants commit themselves to implement in good faith this Memorandum of Understanding and will consult each other as often as necessary, and at least annually, to discuss its implementation, any modifications to be made thereto, or any dispute that may arise from its interpretation.

The Participants will also agree to exchange information on the economic impact of the operations related to its implementation.

Article 8. - This Memorandum of Understanding will come into effect the day of its signature.

This Memorandum of Understanding is for a period of five (5) years and will remain in effect until terminated by either Participant giving the other one (1) year’s written notice of termination.

Signed in duplicate, in Auckland, on 8th February 2006, in English and French, both texts having equal validity.

For the Government of the Pitcairn Islands,
The Governor

For the Government of French Polynesia,
The President of French Polynesia

Richard FELL

Oscar Manutahi TEMARU