

**Reprint
as at 2 February 2001**



**Diplomatic Immunities (Niue)
Order 2001**
(SR 2001/6)

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 29th day of January 2001

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 5(3) of the Diplomatic Privileges and Immunities Act 1968, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This order is administered by the Ministry of Foreign Affairs and Trade.

Contents

	Page
1 Title	2
2 Commencement	2
3 Interpretation	2
4 Immunities of Niue High Commissioner, diplomatic staff, and members of families	2
5 Immunities of Niue High Commission	3

Order**1 Title**

This order is the Diplomatic Immunities (Niue) Order 2001.

2 Commencement

This order comes into force on 1 March 2001.

3 Interpretation

In this order, unless the context otherwise requires,—

Act means the Diplomatic Privileges and Immunities Act 1968

Convention means the Vienna Convention on Diplomatic Relations signed in 1961, a copy of the English text of which is set out in Schedule 1 of the Act.

Compare: SR 1994/160 cl 2

**4 Immunities of Niue High Commissioner, diplomatic staff,
and members of families**

(1) Each of the following persons enjoys the immunity from jurisdiction, and the inviolability, specified in Articles 29 to 36, and Article 39, of the Convention, as applied in New Zealand by section 5(1) of the Act:

- (a) any person who holds the office of Niue High Commissioner in New Zealand:
- (b) any person who is a member of the diplomatic staff of the Niue High Commission in New Zealand:
- (c) any person who is a member of the family of, and forms part of the household of, a person referred to in paragraph (a) or paragraph (b).

- (2) Each of those persons enjoys that immunity and that inviolability even though he or she is a New Zealand citizen.

Compare: SR 1994/160 cl 3

5 Immunities of Niue High Commission

The Niue High Commission in New Zealand enjoys the immunity from jurisdiction, and the inviolability, conferred on a diplomatic mission in New Zealand by Articles 22 to 24, and Articles 27 and 28, of the Convention, as applied in New Zealand by section 5(1) of the Act.

Compare: SR 1994/160 cl 4

Marie Shroff,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 1 March 2001, is made under the Diplomatic Privileges and Immunities Act 1968. It—

- confers full diplomatic immunities on each of the following persons (even though they are New Zealand citizens):
 - the Niue High Commissioner in New Zealand;
 - members of the Niue diplomatic staff in New Zealand;
 - members of the families of those people who form part of their households; and
- confers on the Niue High Commission in New Zealand the immunity from jurisdiction, and the inviolability, enjoyed by diplomatic missions in New Zealand.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 1 February 2001.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes**1 *General***

This is a reprint of the Diplomatic Immunities (Niue) Order 2001. The reprint incorporates all the amendments to the order as at 2 February 2001, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions,

see <http://www.pco.parliament.govt.nz/editorial-conventions/>
or Part 8 of the *Tables of New Zealand Acts and Ordinances
and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)

- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
