

**Reprint
as at 9 December 1976**



**Diplomatic Privileges
(International Court of Justice)
Order 1959
(SR 1959/61)**

Cobham, Governor-General

Order in Council

At the Government Buildings at Wellington this 1st day of April
1959

Present:
The Right Hon W Nash presiding in Council

Pursuant to the Diplomatic Immunities and Privileges Act 1957, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

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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.

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Order

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This order may be cited as the Diplomatic Privileges (International Court of Justice) Order 1959.

Immunities and privileges of Judges and the Registrar

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Except in so far as in any particular case any immunity or privilege is waived by the court, the Judges and Registrar of the International Court of Justice (including any officer of the court acting as Registrar) shall, when engaged on the business of the court and during any journey to and from the place where the court is sitting in connection with any such business, enjoy the like immunity from suit and legal process, the like inviolability of residence, and the like exemption or relief from taxes as is accorded to a foreign envoy.

Immunities and privileges of agents, counsel, and advocates

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- (1) Except in so far as in any particular case any immunity or privilege is waived by the Government which they represent before the court, the agents, counsel, and advocates of parties before the court shall enjoy—
- (a) when engaged on their missions before the court and during their journeys to and from the place where the

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- court is sitting in connection with any such mission, immunity from personal arrest or detention, and from seizure of their personal baggage, and inviolability for all papers and documents:
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in this capacity:
 - (c) when engaged on their missions before the court and during their journeys to and from the place where the court is sitting in connection with any such mission, the like exemption or relief from taxes as is accorded a foreign envoy, save that the relief allowed shall not include relief from Customs and excise duties or sales tax except in respect of goods imported as part of their personal baggage.
- (2) This clause shall not confer any immunity or privilege upon any person acting on behalf of the Government of New Zealand or upon any person resident in New Zealand acting on behalf of any other Government.

Application to Island Territories

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This order shall be in force in the Cook Islands, Tokelau, and Western Samoa.

Clause 15: amended, on 9 December 1976, pursuant to section 3(8) of the Tokelau Amendment Act 1976 (1976 No 122).

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This order is hereby declared to be a reserved enactment for the purposes of sections 39 and 70 of the Cook Islands Amendment Act 1957 and of section 32 of the Samoa Amendment Act 1957.

T J Sherrard,
Clerk of the Executive Council.

**Diplomatic Privileges (International
Court of Justice) Order 1959**

Reprinted as at
9 December 1976

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 2 April 1959.

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Notes

1 *General*

This is a reprint of the Diplomatic Privileges (International Court of Justice) Order 1959. The reprint incorporates all the amendments to the order as at 9 December 1976, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

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)*

Tokelau Amendment Act 1976 (1976 No 122): section 3(8)
