

**Reprint
as at 6 November 1998**



**Privileges and Immunities (Taipei
Economic and Cultural Office)
Order 1998
(SR 1998/339)**

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 2nd day of November 1998

Present:
His Excellency the Governor-General in Council

Pursuant to section 5(3) of the Diplomatic Privileges and Immunities Act 1968, His Excellency the Governor-General, acting by and with the advice and 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.

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Order

- 1 Title and commencement**
- (1) This order may be cited as the Privileges and Immunities (Taipei Economic and Cultural Office) Order 1998.
- (2) This order comes into force on the 28th day after the date of its notification in the *Gazette*.
- 2 Interpretation**
- In this order,—
- Minister** means the Minister of Foreign Affairs and Trade
- TECO** means the Taipei Economic and Cultural Office Limited, established in New Zealand as a registered company on 17 May 1973.
- Privileges and immunities of TECO*
- 3 Privileges and immunities of TECO**
- Except in so far as in any particular case any immunity or privilege is waived by TECO, TECO enjoys—
- (a) immunity from suit and legal process:
- (b) inviolability of its official premises and archives located in Wellington:
- (c) immunity in relation to its property and assets located in Wellington from search, requisition, confiscation, expropriation, or any other form of interference:

- (d) exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by TECO for its official use and in the case of any publications of TECO directly imported or exported by it, subject to compliance with such conditions as the Minister of Customs may determine for the protection of the public health, the prevention of diseases in plants and animals, and otherwise in the public interest.

*Privileges and immunities of staff of TECO in
Wellington*

**4 Privileges and immunities of economic and cultural staff
of TECO in Wellington**

- (1) In this clause, the term **economic and cultural staff of TECO** means the Director of TECO and other staff employed in the Wellington office of TECO, being neither New Zealand citizens nor permanent residents of New Zealand, who are notified in writing from time to time by the Director of TECO to the Minister and accepted by the Minister as forming part of the economic and cultural staff in the Wellington office of TECO for the purposes of the application of this clause.
- (2) Except in so far as in any particular case any immunity or privilege is waived by TECO, the economic and cultural staff of TECO enjoy—
 - (a) the like immunity from suit and legal process as is accorded to a diplomatic agent;
 - (b) the like inviolability of residence, official premises, and official archives as is accorded to a diplomatic agent.
- (3) Except in so far as in any particular case any immunity or privilege is waived by TECO, the members of the family of a member of the economic and cultural staff of TECO forming part of that person's household enjoy such immunity from jurisdiction, and such inviolability, as are specified in subclause (2) in respect of a member of the economic and cultural staff of TECO.

5 Privileges and immunities of administrative and technical staff of TECO in Wellington

- (1) In this clause, the term **administrative and technical staff of TECO** means those staff employed in the Wellington office of TECO, being neither New Zealand citizens nor permanent residents of New Zealand, who are notified in writing from time to time by the Director of TECO to the Minister and accepted by the Minister as forming part of the administrative and technical staff in the Wellington office of TECO for the purposes of the application of this clause.
- (2) Except in so far as in any particular case any immunity or privilege is waived by TECO, the administrative and technical staff of TECO are accorded immunity from suit and legal process in respect of things done or omitted to be done by them in the course of the performance of their duties carried out on behalf of TECO.

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 the 28th day after the date of its notification in the *Gazette*, is made under the Diplomatic Privileges and Immunities Act 1968. The order confers privileges and immunities on the Taipei Economic and Cultural Office, the economic and cultural staff of that office in Wellington and their families, and the administrative and technical staff of that office in Wellington. The nature of the privileges and immunities conferred is similar to the privileges and immunities (excluding fiscal privileges) that are able to be conferred on international organisations and their staff under the Act.

Reprinted as at **Privileges and Immunities (Taipei Economic
and Cultural Office) Order 1998**
6 November 1998

Date of notification in *Gazette*: 5 November 1998.

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 - 2 Status of reprints
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Notes

1 *General*

This is a reprint of the Privileges and Immunities (Taipei Economic and Cultural Office) Order 1998. The reprint incorporates all the amendments to the order as at 6 November 1998, 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)*
