



ANALYSIS

Title
1. Short Title

2. Privileges, immunities, and capacities of the Commonwealth Secretariat and persons connected therewith

1971, No. 96

An Act to amend the Diplomatic Privileges and Immunities Act 1968 [8 December 1971]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Diplomatic Privileges and Immunities Amendment Act 1971, and shall be read together with and deemed part of the Diplomatic Privileges and Immunities Act 1968 (hereinafter referred to as the principal Act).

2. Privileges, immunities, and capacities of the Commonwealth Secretariat and persons connected therewith—
(1) The principal Act is hereby amended by inserting, after section 9, the following section:

“9A. (1) The Governor-General may from time to time, by Order in Council,—

“(a) Provide that the Commonwealth Secretariat shall, to such extent as may be specified in the order, have the privileges and immunities specified in the Second Schedule to this Act, and shall also have the legal capacities of a body corporate:

“(b) Confer upon—

“(i) Any persons who are representatives (whether of Governments or not) on any organ of the Commonwealth Secretariat or at any conference convened by the Commonwealth Secretariat, or are members of any committee of the Commonwealth Secretariat or of any organ thereof:

“(ii) Such officers or classes of officers of the Commonwealth Secretariat as are specified in the order, being the holders of such high offices in the Commonwealth Secretariat as are so specified:

“(iii) Such persons employed on missions on behalf of the Commonwealth Secretariat as are specified in the order,—

to such extent as may be specified in the order, the privileges and immunities specified in the Third Schedule to this Act:

“(c) Confer upon such other classes of officers and servants of the Commonwealth Secretariat as are specified in the order, to such extent as may be so specified, the privileges and immunities specified in the Fourth Schedule to this Act,—

and the Fifth Schedule to this Act shall have effect for the purpose of extending to the staffs of such representatives and members as are mentioned in subparagraph (i) of paragraph (b) of this subsection and to the members of the families forming part of the household of officers of the Commonwealth Secretariat any privileges and immunities conferred on the representatives, members, or officers under that paragraph, except in so far as the operation of the said Fifth Schedule is excluded by the order conferring the privileges and immunities:

“Provided that no Order in Council under this subsection shall confer any privilege or immunity upon any person as the representative of Her Majesty in right of New Zealand or of the Government of New Zealand or as a member of the staff of such a representative.

“(2) The Second, Fourth, and Fifth Schedules to this Act shall apply with respect to the Commonwealth Secretariat and to persons connected therewith as if every reference in those Schedules to an organisation included a reference to the Secretariat.”

(2) The principal Act is hereby further consequentially amended—

(a) By inserting in subsection (1) of section 20, after the words “section 9”, the words “or section 9A”:

(b) By inserting in subsection (1) of section 21, after the words “section 9”, the words “section 9A”:

(c) By inserting in section 22, after the word “organisation”, the words “or the Commonwealth Secretariat”.

(3) Whereas in accordance with Article 46 of the Constitution of the Cook Islands (as set out in the Second Schedule to the Cook Islands Constitution Amendment Act 1965) the Government of the Cook Islands has requested and consented to the enactment of a provision extending the provisions of this section to the Cook Islands as part of the law of the Cook Islands: Be it therefore enacted as follows:

This section shall extend to the Cook Islands as part of the law of the Cook Islands.

This Act is administered in the Ministry of Foreign Affairs.