



PRIVILEGES AND IMMUNITIES (TAIPEI ECONOMIC AND CULTURAL OFFICE) ORDER 1998

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.

ANALYSIS

1. Title and commencement
2. Interpretation

Privileges and Immunities of TECO

3. Privileges and immunities of TECO

Privileges and Immunities of Staff of TECO in Wellington

4. Privileges and immunities of economic and cultural staff of TECO in Wellington
5. Privileges and immunities of administrative and technical staff of TECO in Wellington

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.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 5 November 1998.
This order is administered in the Ministry of Foreign Affairs and Trade.