

Diplomatic Privileges and Immunities Amendment Act 1980

No. 41 of 1980

An Act to amend the *Diplomatic Privileges and Immunities Act 1967*

[Assented to 23 May 1980]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title, &c.

1. (1) This Act may be cited as the *Diplomatic Privileges and Immunities Amendment Act 1980*.

(2) The *Diplomatic Privileges and Immunities Act 1967*¹ is in this Act referred to as the Principal Act.

Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

3. After section 5 of the Principal Act the following section is inserted:

Application of Act in relation to certain international organizations

“5A. (1) In this section, ‘international organization’ means—

- (a) an organization the members of which are overseas countries in a particular geographical region;
- (b) an organization that is constituted by persons representing overseas countries in a particular geographical region; or
- (c) an organization established, or a group of organizations constituted, by—
 - (i) organizations the members of which are overseas countries in a particular geographical region; or
 - (ii) organizations that are constituted by persons representing overseas countries in a particular geographical region,

being an organization or a group of organizations that is declared by the regulations to be an international organization for the purposes of this section.

- “(2) This Act applies in relation to an international organization as if—
- (a) each reference in a provision of this Act other than section 12 to an overseas country, and each reference in the Convention to a sending State, included a reference to the international organization;
 - (b) each reference in the Convention to the Government of a sending State included a reference to the international organization or, if an organ of the international organization is, for the time being, specified by the regulations in relation to the international organization for the purposes of this paragraph, that organ;
 - (c) any mission or other agency of the international organization that exercises functions substantially corresponding to functions exercised by a diplomatic mission were a diplomatic mission; and
 - (d) in sub-section 12 (1)—
 - (i) ‘a mission of Australia to an international organization (as defined by sub-section 5A (1)), being a mission that exercises functions substantially corresponding to functions exercised by a diplomatic mission’ were substituted for ‘a mission of Australia in an overseas country’; and
 - (ii) ‘the mission in Australia of that international organization’ were substituted for ‘the mission of that country’.”

Formal amendments

4. The Principal Act is amended as set out in the Schedule.

SCHEDULE

Section 4

FORMAL AMENDMENTS

Provision amended	Omit—	Substitute—
Sub-section 4 (1) (definition of “Australian citizen”)	1948-1973	1948
Sub-section 4 (1) (definition of “the Convention”)	Schedule to this Act	Schedule
Paragraph 7 (2) (f)	to the next succeeding sub-section, to the next succeeding section	to sub-section (3), to section 8
Paragraph 7 (2) (g)	section 11 of this Act	section 11
Sub-section 7 (3)	in sub-section (1) of this section	in sub-section (1) of sub-section (1)
	of sub-section (1) of this section	
Sub-section 7 (4)	<i>Income Tax Assessment Act</i> 1936-1967 and of the <i>Income Tax Ordinance</i> 1959 of the Territory of Papua and New Guinea	<i>Income Tax Assessment Act</i> 1936
	commences on the first day of July, One thousand nine hundred and sixty-seven	commenced on 1 July 1967
Sub-section 7 (5)	1903-1968	1903
Sub-section 8 (1)	the last preceding section	section 7
Sub-section 8 (2)	1901-1966	1901
Sub-section 8 (3)	two years	2 years
	1901-1966	1901

SCHEDULE—continued

Provision amended	Omit—	Substitute—
Sub-section 9 (1)	1921-1967	1921
Paragraph 9 (1) (c)	the last preceding paragraph	paragraph (b)
Sub-section 9 (2)	The last preceding sub-section	Sub-section (1)
Sub-section 9 (3)	Sub-section (1) of this section	Sub-section (1)
Paragraph 9 (3) (a)	two years	2 years
Sub-section 10 (1)	the <i>Sales Tax Act (No. 1) 1930-1964</i> , the <i>Sales Tax Act (No. 2) 1930-1964</i> or the <i>Sales Tax Act (No. 3) 1930-1964</i>	the <i>Sales Tax Act (No. 1)</i> 1930, the <i>Sales Tax Act</i> (<i>No. 2</i>) 1930 or the <i>Sales</i> <i>Tax Act (No. 3) 1930</i>
	the last preceding section	section (9)
	1921-1967	1921
Sub-section 10 (2)	The last preceding sub-section	Sub-section (1)
	sub-section (1) of the last preceding section	sub-section 9 (1)
Sub-section 10 (3)	Sub-section (1) of this section	Sub-section (1)
Paragraph 10 (3) (a)	two years	2 years

NOTE

1. No. 16, 1967, as amended. For previous amendments, see No. 69, 1972; No. 216, 1973 (as amended by No. 20, 1974); No. 91, 1976; and No. 155, 1979.