Preparatory Commission for the Organization on the Prohibition of Chemical Weapons (Privileges and Immunities) Regulations

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the International Organizations (Privileges and Immunities) Act 1963.

Dated 27 May 1993.

BILL HAYDEN
Governor-General

By His Excellency’s Command,

GARETH EVANS
Minister for Foreign Affairs
Citation

1. These Regulations may be cited as the Preparatory Commission for the Organization on the Prohibition of Chemical Weapons (Privileges and Immunities) Regulations.

[NOTE: These Regulations commence on gazetted: see Acts Interpretation Act 1901, s. 48.]

Interpretation

2. (1) In these Regulations, unless the contrary intention appears:
   “the Act” means the International Organizations (Privileges and Immunities) Act 1963.

Act applies to the Commission

3. The Commission is declared to be an international organisation to which the Act applies.

Commission to have juridical personality and legal capacity

4. The Commission:
   (a) is a body corporate; and
   (b) may sue and, subject to regulation 5, be sued in its corporate name; and
   (c) has the capacity, in its corporate name:
      (i) to contract; and
      (ii) to acquire, hold and dispose of real and personal property.
Privileges and immunities of the Commission

5. The Commission has the privileges and immunities set out in paragraphs 1, 2, 3, 6, 9 and 12 of the First Schedule to the Act.

Privileges and immunities of the officers and former officers of the Commission

6. (1) Subject to subregulation (3), a person who holds an office in the Commission has the privileges and immunities set out in paragraphs 1, 2, 3 and 6 of Part I of the Fourth Schedule to the Act.

(2) A person who has ceased to hold an office in the Commission has the privileges and immunities set out in Part II of the Fourth Schedule to the Act.

(3) A person who is a resident of Australia within the meaning of the Income Tax Assessment Act 1936 is exempt from taxation on salary and emoluments received from the Commission for services performed in Australia only if he or she:
   (a) is not an Australian citizen; and
   (b) at the time of performing the services was in Australia solely for the purpose of performing services for the Commission.

Immunity or privilege may be waived

7. The Commission may waive a privilege or immunity conferred by, or referred to in, these Regulations.

NOTE