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Statutory Rules 1989 No. 1

285

SITA (Privileges and Immunities) Regulations

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

Dated 25 October 1989.

BILL HAYDEN
Governor-General

By His Excellency's Command,

John N. Button

Minister of State for Foreign Affairs
and Trade

Citation

1. These Regulations may be cited as the SITA (Privileges and Immunities) Regulations.

Interpretation

2. In these Regulations, unless the contrary intention appears:

“SITA” means the organisation known as the Société Internationale de Telecommunications Aéronautiques;

“the Act” means the *International Organizations (Privileges and Immunities) Act 1963*.

Act to apply to SITA

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

SITA to have juridical personality and legal capacities**4. SITA:**

- (a) is a body corporate; and
- (b) has the capacity to contract; and
- (c) is capable of acquiring, holding and disposing of real and personal property and of instituting legal proceedings.

Privileges and immunities of SITA

5. (1) Subject to subregulation (2) and (3), SITA has the privileges and immunities specified in paragraphs 6 and 7 of the First Schedule to the Act.

(2) Subregulation (1) does not exempt SITA from the liability to pay dues or taxes in respect of premises it owns or leases if the dues or taxes represent payment for specific services rendered.

(3) Where goods are imported, manufactured or purchased by SITA, subregulation (1) does not prevent sales tax being payable in relation to the goods by SITA or by any other person.

Privileges of officers of SITA

6. (1) Subject to subregulation (2), a person who holds an office in SITA has, until the expiration of 31 December 1999, the privileges and immunities specified in paragraph 2 of Part I of the Fourth Schedule to the Act.

(2) The salary and emoluments received from SITA by a person:

- (a) who holds an office in SITA; and
- (b) who is a resident of Australia within the meaning of the *Income Tax Assessment Act 1936*;

are not, to the extent to which they are for services rendered in Australia, exempt from taxation unless the person:

- (c) is not an Australian citizen; and
- (d) came to Australia solely for the purpose of performing the duties of the office.

Waiver of privileges

7. SITA may waive any privileges to which it, or any of its officers, is entitled by virtue of the Act or these Regulations.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on

1989.

31 October