

Specialized Agencies (Privileges and Immunities) Regulations (Amendment) 1992 No. 238

EXPLANATORY STATEMENT

STATUTORY RULES 1992 No. 238

Issued by the authority of the Minister of State for Foreign Affairs and Trade

International Organizations (Privileges and Immunities) Act 1963

Specialized Agencies (Privileges and Immunities) Regulations (Amendment)

Section 13 of the International Organizations (Privileges and Immunities) Act 1963 (the Act) provides that the Governor-General may make regulations for the purposes of the Act.

Subparagraph 6(1)(a)(i) of the Act provides that the regulations may confer upon an international organization to which the Act applies juridical personality and such legal capacities as are necessary for the exercise of the powers and the performance of the functions of the organization. Subparagraph 6(1)(a)(ii) of the Act provides that the regulations may confer upon an international organization to which the Act applies all or any of the privileges and immunities specified in the First Schedule of the Act. Subparagraph 6(1)(d)(i) of the Act provides that the regulations may confer upon a person who holds an office in an international organization to which the Act applies (not being an office prescribed by the regulations to be a high office) all or any of the privileges and immunities specified in Part I of the Fourth Schedule.

The purpose of these Regulations is to grant the United Nations Industrial Development Organization (UNIDO) the same privileges and immunities enjoyed by other United Nations Specialized Agencies of which Australia is a member.

These regulations grant UNIDO the same privileges and immunities it enjoyed under the Specialized Agencies (Privileges and Immunities) Regulations 1986 before Australia's withdrawal from UNIDO in 1989, and the subsequent withdrawal of UNIDO's privileges and immunities.

Details of the proposed Regulations are as follows:

Regulation 1 notes that this Regulation amends the Specialized Agencies (Privileges and Immunities) Regulations.

Regulation 2 incorporates references to UNIDO in the Specialized Agencies (Privileges and Immunities) Regulations.

Regulation 3 adds UNIDO to the Schedule of declared specialised Agencies and specifies the Director-General and the Deputy Director-General are high officers of the organization.