



Statutory Rules 1992 No. 1

Diplomatic Privileges and Immunities Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Diplomatic Privileges and Immunities Act 1967*.

Dated 23 APR 1992.

BILL HAYDEN

Governor-General

By His Excellency's Command,

Gareth Evans

Minister of State for Foreign Affairs and Trade

1. Amendment

1.1 The Diplomatic Privileges and Immunities Regulations are amended as set out in these Regulations.

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

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Administrative Department: please include file copy in documents
F.R.L.I.
1996B00654
No. Legislative Services Section,
Office of Legislative Drafting, Attorney-General's
Department.

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2. Regulation 5A (Minister may issue certificates in certain circumstances)**2.1 Omit subregulations 5A (1) and (2), substitute:**

“(1) Where the presence of a prescribed object on prescribed land or premises impairs, or (if it were to take place or continue) would impair the dignity of a mission or the residence of the head, or another diplomatic agent, of a mission, and the removal of the object would be an appropriate step to prevent the impairment, or the continuation of the impairment, the Minister may certify to that effect.

“(2) A certificate must be in the form set out in the Schedule.”.

2.2 Subregulation (3):

Omit “issued”, substitute “signed”.

2.3 Subregulation (4):

Omit “issued”, substitute “signed”.

2.4 Subregulation (5):

Omit “issue”, substitute “signing”.

2.5 Subregulation (6):

Omit “issued”, substitute “signed”.

3. Regulation 5B (Removal of prescribed objects from prescribed land or premises)**3.1 Omit subregulations (3) and (4), substitute:**

“(3) A prescribed officer must not remove a prescribed object from the prescribed land or premises before giving a reasonable opportunity to a person:

- (a) who is apparently in control of the object; or
- (b) who placed the object on the land or premises; or
- (c) who is apparently a representative of a person referred to in paragraph (a) or (b);

to remove the object from the land or premises.

“(4) Where a prescribed officer removes a prescribed object from the prescribed land or premises, the officer may:

- (a) give the object to a person who was apparently in control of the object, or is a person referred to in paragraph (3)(b) or (c); or
- (b) leave the object on other land or premises; or
- (c) retain the object for up to 7 days.

“(4A) Before leaving a prescribed object on land or premises referred to in paragraph (4)(b), a prescribed officer must give any of the persons referred to in paragraph (3)(a), (b) or (c) at least 24 hours’ notice of the location of the land or premises.”.

3.2 Subregulation (5):

Omit “At”, substitute “Where an object is retained under paragraph (4)(c) and has not been returned to a person referred to in paragraph 3(a), (b) or (c), at ”.

3.3 Subregulation (5):

Omit “or (b)”, substitute “, (b) or (c)”.

4. Schedule

4.1 Omit the Schedule, substitute:

“

SCHEDULE

Subregulation 5A(2)

COMMONWEALTH OF AUSTRALIA**Diplomatic Privileges and Immunities Regulations****CERTIFICATE**

I, *(insert the full name of the Minister)*, Minister of State for Foreign Affairs and Trade, certify that the presence of the following prescribed objects:

(insert a description of the prescribed objects)

on prescribed land or premises, being *(insert a description of the land or premises)*, impairs or (if it were to take place or continue) would impair, the dignity of the mission or of the residence of the head, or another diplomatic agent, of the mission and that its removal would be an appropriate step to prevent the impairment or the continuation of the impairment *(here insert a description of the mission or residence)*.

This certificate was signed *(insert time and date of signature)* and has effect

- * from that time and date
- * from *(insert time and date from which certificate is to have effect)*.

(signature of Minister)

Minister of State for Foreign Affairs and Trade

* *Omit if inapplicable.*”

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 1.
2. Statutory Rules 1989 No.287 as amended by 1992 Nos. 7 and 41.

28 April 1992