

International Organisations (Privileges and Immunities) (Conference of the Parties to the United Nations Framework Convention on Climate Change) Amendment Regulations 2023

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 14 September 2023

David Hurley

Governor‑General

By His Excellency’s Command

Penny Wong

Minister for Foreign Affairs

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1 Name

This instrument is the *International Organisations (Privileges and Immunities) (Conference of the Parties to the United Nations Framework Convention on Climate Change) Amendment Regulations 2023*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The day after this instrument is registered. | 16 September 2023 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *International Organisations (Privileges and Immunities) Act 1963*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

International Organisations (Privileges and Immunities) (Conference of the Parties to the United Nations Framework Convention on Climate Change) Regulations 2022

1 Section 4

Insert:

***expert***:

(a) means a person who is performing short-term or temporary projects on behalf of the Conference of the Parties; and

(b) includes a person who is:

(i) serving on a body established by, or attending a meeting organised by, the Conference of the Parties; or

(ii) participating in the work of, or performing a mission on behalf of, the Conference of the Parties;

whether or not the person receives remuneration from the Conference of the Parties; and

(c) does not include a person who holds an office in the Conference of the Parties.

***serious offence*** means an offence under any law of the Commonwealth, or of a State or Territory, for which, if the act or omission had taken place in the Jervis Bay Territory, a person would be liable, on first conviction, to imprisonment for a period of not less than 5 years.

2 At the end of the instrument

Add:

10 Privileges and immunities of experts and former experts

(1) For the purposes of subparagraph 6(1)(e)(i) of the Act, the privileges and immunities specified in paragraph 2 of Part I of the Fifth Schedule to the Act are conferred, subject to subsection (3), upon a person who:

(a) is an expert; and

(b) is not an Australian citizen or a permanent resident of Australia.

(2) For the purposes of subparagraph 6(1)(e)(ii) of the Act, the immunities specified in Part II of the Fifth Schedule to the Act are conferred, subject to subsection (3), upon a person who:

(a) has ceased to be an expert; and

(b) is not an Australian citizen or a permanent resident of Australia.

(3) The immunities conferred on a person by subsection (1) or (2) do not extend to:

(a) immunity from a suit or other legal process:

(i) for the recovery of damages for any damage, injury or death resulting from an accident in which a motor vehicle owned or driven by the person was involved; or

(ii) with respect to the commission of an offence under a provision of a law of the Commonwealth, or of a State or Territory, relating to motor traffic, motor vehicles or the use of a motor vehicle; or

(b) immunity from personal arrest and detention if that person is found committing or attempting to commit, or has just committed, a serious offence.