



**THE DIPLOMATIC PRIVILEGES (EUROPEAN BANK FOR
RECONSTRUCTION AND DEVELOPMENT) ORDER 1991**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 12th day of August 1991

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 9 of the Diplomatic Privileges and Immunities Act 1968, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ANALYSIS

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| <ul style="list-style-type: none"> 1. Title and commencement 2. Declaration as to organisation 3. <i>Privileges and Immunities of the Bank</i> 4. Body corporate 5. Immunity from suit 6. Inviolability of premises and archives 7. Immunity of property 8. Exemption from taxes and rates | <ul style="list-style-type: none"> 9. Exemption from taxes on importation of goods 10. Exemption from restrictions on importation or exportation of goods for official use 11. <i>Privileges and Immunities of Staff</i> 12. Privileges and immunities of certain office holders and staff |
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ORDER

1. Title and commencement—(1) This order may be cited as the Diplomatic Privileges (European Bank for Reconstruction and Development) Order 1991.

(2) This order shall come into force on the 28th day after the date of its notification in the *Gazette*.

2. Declaration as to organisation—The European Bank for Reconstruction and Development (hereinafter called the Bank), established by the Agreement Establishing the European Bank for Reconstruction and Development made at Paris on the 29th day of May 1990, is hereby declared to be an organisation of which the Governments of two or more States are members.

Privileges and Immunities of the Bank

3. Body corporate—The Bank shall have the legal capacities of a body corporate.

4. Immunity from suit—Except in so far as in any particular case it has expressly waived its immunity, the Bank shall have immunity from suit and legal process.

5. Inviolability of premises and archives—The Bank shall have the same inviolability of official premises and official archives as is accorded in respect of official premises and official archives of a diplomatic mission.

6. Immunity of property—The Bank shall have immunity in relation to its property and assets from search, requisition confiscation, expropriation, or any other form of interference.

7. Exemption from taxes and rates—The Bank shall have the same exemption from taxes and rates, other than taxes on the importation of goods, as is accorded to the Government of any foreign State.

8. Exemption from taxes on importation of goods—The Bank shall have exemption from taxes on the importation of goods directly imported by the Bank for its official use in New Zealand or for exportation, or on the importation of any publications of the Bank directly imported by it, subject to compliance with such conditions as the Minister of Customs may determine for the protection of the revenue.

9. Exemption from restrictions on importation or exportation of goods for official use—The Bank shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Bank for its official use and in the case of any publications of the Bank directly imported or exported by it, subject to compliance with such conditions as the Minister of Customs may determine for the protection of the public health, the prevention of diseases in plants and animals, and otherwise in the public interest.

Privileges and Immunities of Staff

10. Privileges and immunities of certain office holders and staff—Except in so far as in any particular case any immunity or privilege is waived by the Bank, all Governors, Directors, and their alternates, all members of the staff of the Bank (other than persons in the domestic

service of the Bank), and all experts employed on missions on behalf of the Bank, shall be accorded—

- (a) Immunity from suit and legal process in respect of things done or omitted to be done by them in the course of the performance of their official duties:
- (b) Exemption from income tax in respect of endowments, stipends, or allowances received for services in respect of their duties.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order specifies the immunities and privileges that are conferred on the European Bank for Reconstruction and Development and on its staff.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 15 August 1991.
This order is administered in the Ministry of External Relations and Trade.