



**THE DIPLOMATIC PRIVILEGES (COMMON FUND FOR  
COMMODITIES) ORDER 1983**

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DAVID BEATTIE, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington this 26th day of September  
1983

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 9 of the Diplomatic Privileges and Immunities Act 1968, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and, in respect of clause 11 of this order, at the request and with the consent of the Cabinet of Ministers of Niue, hereby makes the following order.

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**ORDER**

**1. Title and commencement**—(1) This order may be cited as the Diplomatic Privileges (Common Fund for Commodities) Order 1983.

(2) This order shall come into force on the 14th day after the date of its notification in the *Gazette*.

**2. Declaration as to organisation**—The Common Fund for Commodities (in this order called the Common Fund), established by the Agreement Establishing the Common Fund for Commodities done at Geneva on the 27th day of June 1980, is hereby declared to be an organisation of which the Governments of two or more States are members.

*Privileges and Immunities of the Common Fund*

**3. Body corporate**—The Common Fund 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 Common Fund shall have immunity from suit and legal process.

**5. Inviolability of premises and archives**—The Common Fund shall have the like 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 Common Fund 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 Common Fund shall have the like 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 Common Fund shall have exemption from taxes on the importation of goods directly imported by the Common Fund for its official use in New Zealand or for exportation, or on the importation of any publications of the Common Fund 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 Common Fund shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Common Fund for its official use and in the case of any publications of the Common Fund 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 Common Fund, all Governors, Executive Directors, and their alternates, the Managing Director, all members of the Consultative Committee, all members of the staff of the Common Fund other than persons in the domestic service of the Common Fund, and all experts employed on missions on behalf of the Common Fund 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.

**11. Application to Niue**—This order shall be in force in Niue.

P. G. MILLEN,  
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 Common Fund for Commodities established under the auspices of the United Nations Conference on Trade and Development, and on its staff.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 29 September 1983.

This order is administered in the Ministry of Foreign Affairs.