

# Diplomatic Privileges and Immunities (World Bank) Regulations 2013

No. 2013/04

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**Pursuant to section 9 of the Diplomatic Privileges and Immunities Act 1968, Cabinet makes the following regulations—**

- Title**  
These regulations are the Diplomatic Privileges and Immunities (World Bank) Regulations 2013.
- Commencement**  
These regulations come into force on the day after the date on which they are made in accordance with Article 13 of the Constitution.  
*Preliminary provisions*
- Interpretation**  
In these regulations, **World Bank organisation** means an organisation declared by regulation 4 to be an organisation to which 2 or more States or the Governments thereof are members.

- 4 **Section 9 of Diplomatic Privileges and Immunities Act 1968 to apply to certain World Bank organisations**  
Each of the following organisations is an organisation to which 2 or more States or the Governments thereof are members:
- (a) the International Bank for Reconstruction and Development:
  - (b) the International Development Association:
  - (c) the International Finance Corporation:
  - (d) the Multilateral Investment Guarantee Agency:
  - (e) the International Centre for Settlement of Investment Disputes.

*Privileges, immunities, and capacities of World Bank organisations*

- 5 **Immunity from suit and legal process**  
Except in so far as in any particular case it has expressly waived its immunity, every World Bank organisation has immunity from suit and legal process.
- 6 **Inviolability of premises and archives**  
Every World Bank organisation has the like inviolability of official premises and archives as is accorded in respect of the official premises and archives of a diplomatic mission.
- 7 **Immunity of property**  
Every World Bank organisation has immunity in relation to its property and assets, wherever located and by whomsoever held, from search, requisition confiscation, expropriation, or any other form of interference.
- 8 **Exemption from taxes and rates other than taxes on importation of goods**  
Every World Bank organisation has 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.
- 9 **Exemption from taxes on importation of goods**  
Every World Bank organisation has exemption from taxes on the importation of goods directly imported by the organisation for its official use in Niue or for exportation, or on the importation of any publications of the organisation directly imported by it, subject to compliance with such conditions as the Minister of Customs may determine for the protection of the revenue.
- 10 **Exemption from restrictions on importation or exportation of goods**  
Every World Bank organisation has exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the organisation for its official use and in the case of any publications of the organisation directly imported or

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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.

**11 Legal capacities**

Every World Bank organisation has the legal capacities of a body corporate.

*Privileges and immunities of officeholders and staff of World Bank organisations*

**12 Privileges and immunities of certain office holders and staff**

- (1) This subclause applies to every person who is--
- (a) a Governor or Director of a World Bank organisation; or
  - (b) an Alternate of a Governor or Director of a World Bank organisation; or
  - (c) a member of the staff of a World Bank organisation (other than a person in the domestic service of the organisation); or
  - (d) an expert employed on a mission on behalf of a World Bank organisation.
- (2) Except in so far as in any particular case any immunity or privilege is waived by the World Bank organisation concerned, every person to whom subclause (1) applies has--
- (a) immunity from suit and legal process in respect of things done or omitted to be done by him or her in the course of the performance of his or her official duties; and
  - (b) exemption from income tax in respect of every endowment, stipend, or allowance received by him or her for services in respect of the performance of his or her official duties.

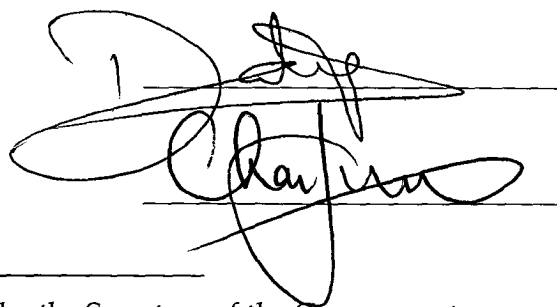
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Approved by the Cabinet of Ministers at the Cabinet Chambers, Fale Fono,  
Alofi, this

12th day of December 2013.

**Signed by Hon. Toke Tufukia Talagi**  
**Premier**

**Countersigned by Charlene Funaki**  
**Clerk to Cabinet**



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These regulations are administered by the Secretary of the Government.  
These regulations were made on the 12<sup>th</sup> day of December 2013.