



Consular Privileges and Immunities Amendment Act 2005

No. 132, 2005

***An Act to amend the *Consular Privileges and
Immunities Act 1972*, and for related purposes***

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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Consular Privileges and Immunities Amendment Act 2005

No. 132, 2005

An Act to amend the *Consular Privileges and Immunities Act 1972*, and for related purposes

[Assented to 15 November 2005]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Consular Privileges and Immunities Amendment Act 2005*.

2 Commencement

This Act commences on the day on which it receives the Royal Assent.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendment of the Consular Privileges and Immunities Act 1972

1 After section 10

Insert:

10AA Additional privileges or immunities granted by agreement, arrangement or understanding

(1) If:

- (a) Australia, in writing, enters into an agreement, arrangement or understanding (the *reciprocal instrument*) with an overseas country (the *reciprocating country*); and
- (b) either:
 - (i) at the time Australia enters into the reciprocal instrument, a determination under subsection (2) that the reciprocating country is one to which this section applies is in force; or
 - (ii) at any later time, a determination under subsection (2) that the reciprocating country is one to which this section applies comes into force; and
- (c) the reciprocal instrument grants:
 - (i) privileges or immunities, or both, to consular officers of Australia in the reciprocating country; and
 - (ii) the same, or equivalent, privileges or immunities, or both, to consular officers of the reciprocating country in Australia; and
- (d) the privileges or immunities, or both, mentioned in paragraph (c) supplement, extend or amplify those granted by the Convention;

then, for so long as the reciprocal instrument continues to grant the privileges or immunities, or both, and the determination remains in force, the privileges or immunities, or both, are granted as mentioned in subparagraph (c)(ii).

- (2) The Minister may, by legislative instrument, determine an overseas country to be an overseas country to which this section applies.

The Minister may, by legislative instrument, revoke the determination.

*[Minister's second reading speech made in—
Senate on 16 March 2005
House of Representatives on 3 November 2005]*

(48/05)