

EXPLANATORY STATEMENT

INTERNATIONAL ORGANIZATIONS (PRIVILEGES AND IMMUNITIES) ACT 1963

EUROPEAN ECONOMIC COMMUNITY (DECLARATION AS AN OVERSEAS ORGANIZATION) REGULATIONS

Statutory Rules 1986 No. 184 issued by the authority of the Minister of State for Foreign Affairs.

Section 13 of the International Organizations (Privileges and Immunities) Act 1963 (the Act) provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

2. Australia is soon to sign a comprehensive Headquarters Agreement with the Commission for the Conservation of Antarctic Marine Living Resources (the Commission) in Hobart. Under the terms of that Agreement, Australia is required to confer certain privileges and immunities on representatives of members of the Commission while in Australia attending meetings of the Commission. In respect of the representatives of members that are governments, such provision has been made in the Commission for the Conservation of Antarctic Marine Living Resources (Privileges and Immunities) Regulations. These regulations also make provision for like privileges and immunities to be conferred on organizations that are declared to be overseas organizations for the purposes of the Act. The European Economic Community is a member of the Commission. Its representatives will be in Australia in attendance at meetings of the Commission. There is accordingly a need to have the EEC declared an overseas

3. It has been deemed prudent to include in the regulation a preamble that indicated the purpose or scope of the regulations, namely, to enable privileges and immunities to be conferred on EEC representatives at certain conferences in Australia. Otherwise the effect of declaring the EEC to be an overseas organization to which the Act applies may be unclear. In particular, it should be made clear that the regulations do not confer any privileges or immunities on the EEC itself. The premises of the EEC Delegation in Canberra and its members enjoy privileges and immunities by virtue of regulations made under the Diplomatic Privileges and Immunities Act 1967.

4. The attached regulations will give effect to Australia's obligations under the Headquarters Agreement with the Commission, soon to be signed, and will confer certain privileges and immunities on representatives of the EEC in Australia in attendance at the Commission's meetings.

Statutory Rules 1986^{Joh.} No. 146/86.