

# Joint Accreditation System of Australia and New Zealand (Privileges and Immunities) Regulations 1998 1998 No. 136

## EXPLANATORY STATEMENT

Statutory Rules 1998 No. 136

Issued by the Authority of the Minister of Foreign Affairs

*International Organisations (Privileges and Immunities) Act 1963*

Joint Accreditation System of Australia and New Zealand (Privileges and Immunities) Regulations 1998

Section 13 of the *International Organisations (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 the carrying out or giving effect to the Act.

The Joint Accreditation System of Australia and New Zealand (JAS-ANZ) was first established as an international organisation in 1991 by an agreement between the Australian and New Zealand Governments. A new agreement (the Agreement) completely reconstituting JAS-ANZ was signed on 25 March 1998. The objective of JAS-ANZ is to strengthen the trade relationship between Australia and New Zealand and to improve trade relationships of both with third countries. This is to be achieved by establishing a joint mechanism for accrediting bodies which provide conformity assessment services, obtaining recognition by national and international bodies for Australian and New Zealand producers, goods and services.

Article 17 of the new Agreement terminates the previous agreement and the organisation established under that earlier agreement. This requires new regulations to give effect to the reconstituted JAS-ANZ. The Regulations declare JAS-ANZ to be an "international organisation" to which the Act will apply and grant JAS-ANZ legal personality and capacity to enable it to exercise its powers and to perform its functions in Australia. They also repeal previous regulations that declared JAS-ANZ as an international organisation under the Act.

The Regulations will commence on a day specified in a written determination by the Minister under subsection 13(2) of the Act. The day of commencement must not be earlier than the day on which the Agreement becomes effective for Australia. The day of commencement will therefore be a day in the future.

Details of the Regulations are as follows:

Regulation 1 is a citation clause.

Regulation 2 provides that the proposed Regulations will commence on a day specified in a written determination by the Minister under subsection 13 (2) of the Act.

Regulation 3 is a definitions provision.

Regulation 4 declares JAS-ANZ to be an international organisation to which the Act applies.

Regulation 5 gives JAS-ANZ legal personality and legal capacity.

Regulation 6 repeals the previous regulations that established JAS-ANZ as an international organisation under the Act.

