



# Foreign States Immunities (Emergency Prevention and Management) Regulations 2018

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 30 August 2018

Peter Cosgrove  
Governor-General

By His Excellency's Command

Christian Porter  
Attorney-General

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## Part 1—Preliminary

### 1 Name

This instrument is the *Foreign States Immunities (Emergency Prevention and Management) Regulations 2018*.

### 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information        |   |                  |
|---------------------------------|---|------------------|
| Column 1                        | Column 2  | Column 3         |
| Provisions                      | Commencement  | Date/Details     |
| 1. The whole of this instrument | At the same time as Schedule 1 to the <i>Foreign States Immunities (Taxation) Regulations 2018</i> commences.<br><br>However, the provisions do not commence at all if that Schedule does not commence. | 4 September 2018 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

### 3 Authority

This instrument is made under the *Foreign States Immunities Act 1985*.

### 4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) Australia;
- (b) separate entity.

In this instrument:

*Act* means the *Foreign States Immunities Act 1985*.

## Part 2—Extension of immunities

### 5 Bushfires

For the purposes of subsection 42A(2) of the Act, section 13 of the Act does not apply with respect to the United States of America (or a separate entity of the United States of America) in relation to acts or omissions that are done or omitted to be done by the United States of America (or a separate entity of the United States of America):

- (a) in the course of providing facilities or assistance to the Australian Government, or the government of a State or Territory, for the purpose of preparing for, preventing or managing bushfires in Australia; and
- (b) for the purpose of preparing for, preventing or managing bushfires in Australia.