

Foreign States Immunities (Emergency Prevention and Management) Regulations 2018

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 *Foreign States Immunities (Taxation) Regulations 2018* commences.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Note: This table relates only to the provisions of this instrument as originally made.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.