



Diplomatic Privileges and Immunities (Green Climate Fund) Regulations 2020

No. 2020/05

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Pursuant to section 9 of the Diplomatic Privileges and Immunities Act 1968, Cabinet makes the following regulations –

- Title**
These regulations are the Diplomatic Privileges and Immunities (Green Climate Fund) Regulations 2020.
- Commencement**
These regulations come into force on the day after the date on which they are made in accordance with Article 13 of the Constitution.
Preliminary provisions
- Interpretation**
In these regulations, **Green Climate Fund** means the organisation established and guided by the principals and provisions of the United Nation Framework Convention on Climate Change (UNFCCC).

Privileges, immunities, and capacities of the Green Climate Fund

- 4 Immunity from suit and legal process**
Except in so far as in any particular case it has expressly waived its immunity, the Green Climate Fund has immunity from suit and legal process.
- 5 Inviolability of premises and archives**
The Green Climate Fund has the like inviolability of official premises and archives as is accorded in respect of the official premises and archives of a diplomatic mission.
- 6 Immunity of property**
The Green Climate Fund has immunity in relation to its property and assets, wherever located and by whomsoever held, from search, requisition confiscation, expropriation, or any other form of interference.
- 7 Exemption from taxes and rates other than taxes on importation of goods**
The Green Climate Fund has the like exemption from taxes and rates, other than taxes on the importation of goods, as is accorded to the Government of any foreign State.
- 8 Exemption from taxes on importation of goods**
The Green Climate Fund has exemption from taxes on the importation of goods directly imported by the organisation for its official use in Niue or for exportation, or on the importation of any publications of the organisation directly imported by it, subject to compliance with such conditions as the Minister of Customs may determine for the protection of the revenue.
- 9 Exemption from restrictions on importation or exportation of goods**
The Green Climate Fund has exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the organisation for its official use and in the case of any publications of the organisation directly imported or exported by it, subject to compliance with such conditions as the Minister of Customs may determine for the protection of the public health, the prevention of diseases in plants and animals, and otherwise in the public interest.
- 10 Legal capacities**
The Green Climate Fund has the legal capacities of a body corporate.

Diplomatic Privileges and Immunities (Green Climate Fund) Regulations 2020

Privileges and immunities of office holders and staff of the Green Climate Fund

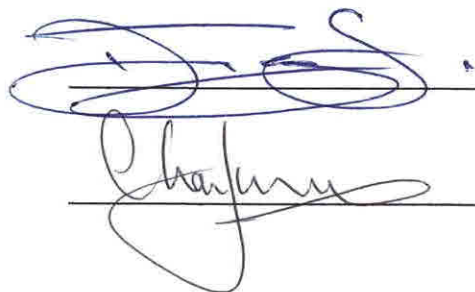
11 Privileges and immunities of certain office holders and staff

- (1) This sub clause applies to every person who is--
- (a) The Executive Director or a Director of the Green Climate Fund; or
 - (b) an Alternate of an Executive Director or Director of the Green Climate Fund; or
 - (c) a member of the staff of the Green Climate Fund (other than a person in the domestic service of the organisation); or
 - (d) an expert employed on a mission on behalf of the Green Climate Fund.
- (2) Except in so far as in any particular case any immunity or privilege is waived by the Green Climate Fund, every person to whom sub clause (1) applies has-
- (a) immunity from suit and legal process in respect of things done or omitted to be done by him or her in the course of the performance of his or her official duties; and
 - (b) exemption from income tax in respect of every endowment, stipend, or allowance received by him or her for services in respect of the performance of his or her official duties.

Approved by the Cabinet of Ministers at the Cabinet Chambers, Fale Fono, Alofi, this 23rd day of December 2020.

Signed by Hon. Dalton Tagelagi
Premier

Countersigned by Charlene Funaki
Clerk to Cabinet



The image shows two handwritten signatures in blue ink. The top signature is for Dalton Tagelagi, Premier, and the bottom signature is for Charlene Funaki, Clerk to Cabinet. Both signatures are written over horizontal lines.

These regulations are administered by the Secretary of the Government.
These regulations were made on the 23rd day of December 2020.