

Chapter 345.
Aid Status (Privileges and Immunities) Act 1977.

Certified on: / /20 .

INDEPENDENT STATE OF PAPUA NEW GUINEA.



Chapter 345.

Aid Status (Privileges and Immunities) Act 1977.

ARRANGEMENT OF SECTIONS.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.



AN ACT

entitled

Aid Status (Privileges and Immunities) Act 1977,

Being an Act—

- (a) providing for the grant of aid status to certain organizations and personnel attached to those organizations; and
- (b) prescribing certain privileges and immunities to be accorded to organizations and personnel granted aid status,

and for related matters.

1. INTERPRETATION.

In this Act, unless the contrary intention appears—

“**designated aid status**” means designated aid status granted under Section 2;

“**family**”, in relation to a person granted designated aid status, means the spouse (if any) of that person and includes any child under 18 years of age and relative who is dependant on or maintained by that person or spouse;

“**the organization**”, in relation to a person granted aid status under Section 2(2) means the organization granted aid status under Section 2(1) to which he is attached or by which he is engaged;

“**personal goods**” means goods that are—

- (a) the property of; and
 - (b) suitable for the use of,
- the person granted designated aid status and his family;

“**the State**” includes statutory authorities and instrumentalities of the State;

“**this Act**” includes the regulations.

2. GRANT OF DESIGNATED AID STATUS.

(1) An organization may be granted designated aid status by the Head of State, acting on advice.

(2) Where an organization has been granted designated aid status under Subsection (1), the Minister may grant to persons engaged by or attached to such an organization, designated aid status.

3. REVOCATION OF DESIGNATED AID STATUS.

The Head of State, acting on advice, may, where he is of the opinion that—

- (a) an organization should no longer be granted designated aid status; or
- (b) a person to whom aid status was granted, is no longer engaged by or attached to an organization to which designated aid status has been granted,

revoke the designated aid status.

4. EXEMPTION FROM TAXATION, ETC.

A person granted designated aid status and his family shall—

- (a) be exempt from taxation on the salaries and emoluments paid to him by the organization; and
- (b) be immune from immigration restrictions and aliens registration; and
- (c) have the right at the time of first taking up his post in the country and for a period of six months after that date to import his personal goods free of import duty and import levy.

5. MOTOR VEHICLE NOT SUBJECT TO DUTY.

(1) Subject to Subsection (2), a person granted designated aid status may—

- (a) import a motor vehicle; or
- (b) within six months after the date on which he takes up his post in the country—purchase a motor vehicle,

free of import duty and import levy.

(2) Where a person granted designated aid status sells or disposes of a motor vehicle to which Subsection (1) applies before the expiration of a period of two years after the date of importation or purchase of the vehicle free of import duty and import levy, he shall, subject to Subsection (3), pay the import duty and import levy that was payable on the vehicle at the date on which it was imported or purchased.

(3) The Minister may, if he thinks fit, waive or reduce the import duty and import levy payable under Subsection (2).

6. EXEMPTION FOR EQUIPMENT, ETC.

(1) Subject to Subsection (2), an organization granted designated aid status shall be exempt from the payment of import duty and import levy in respect of—

- (a) vehicles; and
- (b) plant and equipment,

that are imported or purchased for the purpose of performing functions under an aid agreement entered into with the State.

(2) Where an organization that has been granted designated aid status has that aid status revoked before the expiration of a period of two years after the date of importation of a vehicle, plant or equipment, as the case may be, it shall, subject to Subsection (3), pay the import duty and import levy that was payable on the vehicle or equipment at the date on which it was imported or purchased.

(3) The Minister may, if he thinks fit, waive or reduce the import duty and import levy payable under Subsection (2).

7. EVIDENCE.

A certificate under the hand of the Minister certifying that, on a specified date or during a specified period—

- (a) a specified organization had designated aid status; or
- (b) a specified person—
 - (i) was engaged by or attached to an organization having designated aid status; and
 - (ii) had designated aid status; or
- (c) the grant of designated aid status to a specified organization or specified person was revoked,

is evidence of the matter so certified.

8. REGULATIONS.

The Head of State, acting on advice, may make regulations not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed, for carrying out or giving effect to this Act.

Office of Legislative Counsel, PNG