African Development Bank (Privileges and Immunities) (Amendment) Regulations 2012

GN No. 153 of 2012

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THE INTERNATIONAL ORGANISATIONS AND CONFERENCES (PRIVILEGES AND IMMUNITIES) ACT

Regulations made by the Minister under section 19 of the International Organisations and Conferences (Privileges and Immunities) Act

1. These regulations may be cited as the **African Development Bank (Privileges and Immunities) (Amendment) Regulations 2012.**

2. In these regulations —

"principal regulations" means the African Development Bank (Privileges and Immunities) Regulations 1974.

3. Regulation 2 of the principal regulations is amended by inserting, in the appropriate alphabetical order, the following new definition —

"Country Economist" means the Economist who is re-assigned by the Bank to work in Mauritius;

4. Regulation 9(1) of the principal regulations is amended by deleting the words "and employee of the Bank" and replacing them by the words, "employee of the Bank and the Country Economist".

5. The principal regulations are amended by inserting, after regulation 9, the following new regulation —

9A. (1) The Country Economist shall, in addition to the privileges and immunities

specified in regulation 9—

(a) be immune from personal arrest or detention and from seizure of his official and personal baggage;

(b) be exempt from any form of taxation on income derived from sources outside Mauritius;

(c) be accorded —

(i) the same privileges, in respect of exchange facilities, as are accorded to Heads of international financial organisations represented in Mauritius;

(ii) the freedom to maintain foreign accounts in local currency;

(d) be accorded, whilst under employment with the Bank and upon termination of his re-assignment, the right to transfer, without restriction or limitation, funds out of Mauritius in any foreign currency, provided that the funds are lawfully in his possession;

(e) have the right to import and export, in a single or separate shipment or consignment, free of duty and levies, his personal effects, household equipment, motor vehicles and other articles, provided that the import and export of such effects, equipment, vehicles or articles are not prohibited or controlled;

(f) be granted, together with his spouse and dependants, such other immunities, privileges and exemptions as are accorded to Heads of international financial organisations represented in Mauritius, their spouses and dependants respectively.

(2) The Country Economist shall have the right to use codes, to dispatch or receive correspondence, by courier or in sealed bags, with the same immunities and privileges

as are conferred on diplomatic couriers and bags.

(3) (a) Subject to subparagraph (b), the publications of the Bank and other articles, which are imported or exported by the Bank for its official use, shall be exempt from prohibitions and restrictions on import and export, except where such publications and articles are prohibited or controlled, in Mauritius.

(b) Any article which has been exempted in accordance with subparagraph (a) and paragraph (1) (e) shall —

(i) not be sold in Mauritius without the approval of Government; and

(ii) only be sold on such conditions as may be imposed by Government.

Made by the Minister on 23 August 2012