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**New Zealand
and
South Pacific Regional Fisheries Management Organisation**

Headquarters Agreement between the Government of New Zealand and the South Pacific Regional Fisheries Management Organisation. Wellington, 15 April 2014

Entry into force: *15 April 2014 by signature, in accordance with article 23*

Authentic text: *English*

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**Nouvelle-Zélande
et
Organisation régionale de gestion des pêches du Pacifique Sud**

Accord de siège entre le Gouvernement de la Nouvelle-Zélande et l'Organisation régionale de gestion des pêches dans le Pacifique Sud. Wellington, 15 avril 2014

Entrée en vigueur : *15 avril 2014 par signature, conformément à l'article 23*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Nouvelle-Zélande, 18 novembre 2015*

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[ENGLISH TEXT – TEXTE ANGLAIS]

Headquarters Agreement

between

the Government of New Zealand

and

the South Pacific Regional Fisheries Management Organisation

The Government of New Zealand and the South Pacific Regional Fisheries Management Organisation (herein after called the "Organisation");

HAVING regard to Article 6(4) of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean;

DESIRING to define the legal capacity, privileges and immunities of the Organisation and, in particular, the privileges and immunities to be enjoyed by the staff of the Secretariat of the Organisation in New Zealand;

WISHING to provide for the privileges and immunities of certain other designated persons in the interests of facilitating the performance of the Organisation's functions under the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean;

Have agreed as follows:

Article 1

DEFINITIONS

For the purpose of this Agreement unless expressly indicated otherwise:

- 1) "Appropriate Authorities" means the national, regional or local authorities as the context may require, in accordance with the laws of New Zealand.
- 2) "Commission" means the Commission of the South Pacific Regional Fisheries Management Organisation established by Article 6 of the Convention.
- 3) "Convention" means the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific

Ocean done at Auckland 14 November 2009, which entered into force on 24 August 2012.

- 4) "Expert" means a person performing short term or temporary projects on behalf of the Organisation and includes a person assisting the Scientific Committee or any other subsidiary body of the Organisation established under Article 6 and 9 of the Convention, without necessarily receiving remuneration from the Organisation or the Scientific Committee, but does not include staff members.
- 5) "Government" means the Government of New Zealand.
- 6) "official activities" means all activities undertaken pursuant to the Convention including the Secretariat's administrative activities.
- 7) "Organisation" means the South Pacific Regional Fisheries Management Organisation established under Article 6 of the Convention.
- 8) "records" includes all correspondence, documents, manuscripts, photographs, computer data storage, films and recordings belonging to or held by the Organisation.
- 9) "representative" means representatives of Members of the Commission in attendance at conferences or meetings convened by the Commission, Secretariat or subsidiary bodies of the Organisation, and includes delegates, alternates, advisers, experts and secretaries of delegations.
- 10) "Secretariat" means the Secretariat of the Organisation established by Article 6 of the Convention.

11) "Staff member" means the Executive Secretary and all persons appointed or recruited for full-time employment with the Secretariat and subject to its staff regulations but does not include:

- a. experts; or
- b. persons recruited locally and assigned to hourly rates of pay.

Article 2

INTERPRETATION

This Agreement shall be interpreted in the light of its primary objective of enabling the Organisation to perform its functions at its headquarters in New Zealand.

Article 3

LEGAL PERSONALITY

The New Zealand Government recognises that the Organisation has the legal personality and capacity to perform its functions in New Zealand. In particular it recognises that the Organisation has the capacity through the Commission and its subsidiary bodies, and the Secretariat, to contract, to acquire and dispose of movable and immovable property, and to institute and be a party to legal proceedings.

Article 4

PREMISES

- 1) The premise of the Secretariat shall be inviolable and shall be under the full authority of the Secretariat.