

**NOTICE 2366 OF 2003**

**DEPARTMENT: FOREIGN AFFAIRS  
REPUBLIC OF SOUTH AFRICA**  
*Private Bag X152, Pretoria, 0001, Tel: (012) 351 1000*

**NOTICE**

It is hereby published for general information that the Minister of Foreign Affairs has, in terms of section 7(2) of the Diplomatic Immunities and Privileges Act, 2001 (Act No. 37 of 2001), granted to the members of the Australian Defence Force accompanying the arrested fishing vessel, Viarsa, while they are operating in South Africa, the immunities and privileges set out in the Schedule hereto.

**SCHEDULE**

**IMMUNITIES AND PRIVILEGES GRANTED TO MEMBERS OF THE  
AUSTRALIAN DEFENCE FORCE ACCOMPANYING THE ARRESTED FISHING  
VESSEL VIARSA**

1. Members of the Australian Defence Force accompanying the arrested fishing vessel shall while operating in South Africa:
  - (a) Be immune from the criminal and civil jurisdiction of the courts of the Republic in the performance of their official duties;
  - (b) Be immune from immigration restrictions and alien registration;
  - (c) Have the right to import and export free of duty and restrictions, equipment, supplies and other items required for the purposes of their stay, together with their personal effects; and
  - (d) Have the right to possess, store and use equipment, supplies and other items, including vehicles and medical supplies required for the purposes of the operation, without license, registration, taxes and dues.
2. Privileges and immunities are not accorded to the members of the Australian Defence Force for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions. The Australian Government shall co-operate at all times with the appropriate authorities of South Africa to facilitate the proper administration of justice, secure the observance of the laws of South Africa and prevent the occurrence of any abuse in connection with the privileges and immunities mentioned above.