



ST. CHRISTOPHER AND NEVIS

CHAPTER 6.07

UNITED NATIONS AND SPECIALISED AGENCIES (PRIVILEGES AND IMMUNITIES) ACT and Subsidiary Legislation

Revised Edition

showing the law as at 31 December 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, No. 9 of 1986.

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CHAPTER 6.07

UNITED NATIONS AND SPECIALISED AGENCIES (PRIVILEGES AND IMMUNITIES) ACT

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CHAPTER 6.07

UNITED NATIONS AND SPECIALISED AGENCIES (PRIVILEGES AND IMMUNITIES) ACT

AN ACT TO CONFER CERTAIN IMMUNITIES AND PRIVILEGES ON THE UNITED NATIONS AND ON THE SPECIALISED AGENCIES OF THE UNITED NATIONS BY GIVING THE FORCE OF LAW TO CERTAIN ARTICLES OF THE CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS AND THE CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE SPECIALISED AGENCIES OF THE UNITED NATIONS AND FOR PURPOSES CONNECTED THEREWITH.

Short title.

1. This Act may be cited as the United Nations and Specialised Agencies (Privileges and Immunities) Act.

Interpretation.

2. In this Act—

“Minister” means the Minister for the time being charged with the responsibility of Foreign Affairs;

“the Convention” means the Convention on the Privileges and Immunities of the Specialised Agencies approved by the General Assembly of the United Nations on the 21st November, 1947;

“the General Convention” means the Convention on the Privileges and Immunities of the United Nations adopted by the General Assembly of the United Nations on the 13th February, 1946.

PART I

PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS

Application of the General Convention.

3. (1) Subject to this Act, the Articles set out in the First Schedule (being Articles of the General Convention) shall have the force of law in Saint Christopher and Nevis and shall be construed in accordance with the provisions of this section.

(2) In the Articles referred to in subsection (1)—

(a) the reference in Article I to the effect that the United Nations shall possess juridical personality shall be construed as meaning that the United Nations is a body corporate as described in section 7;

(b) the term “a national” in relation to Saint Christopher and Nevis shall be construed as meaning a citizen of Saint Christopher and Nevis or any person entitled to be registered as such.

PART II

PRIVILEGES AND IMMUNITIES OF THE SPECIALISED
AGENCIES OF THE UNITED NATIONS**Application of the Convention.**

4. (1) Subject to this Act, the Articles set out in the Second Schedule (being Articles of the Convention) shall have the force of law in Saint Christopher and Nevis and shall be construed in accordance with the provisions of this section.

(2) In the Articles referred to in subsection (1)—

(a) the reference in section 3 of Article II to the effect that Specialised Agencies shall possess juridical personality shall be construed as meaning that the Specialised Agencies are bodies corporate as described in section 7;

(b) the term “national” in relation to Saint Christopher and Nevis shall be construed as meaning a citizen of Saint Christopher and Nevis or any person entitled to be registered as such.

(3) This section and the Second Schedule shall apply to any Specialised Agency of the United Nations as designated by the Governor-General and to such extent as may be specified by Order published in the *Gazette*.

PART III

GENERAL

Certificate of Minister is conclusive evidence.

5. If in any proceedings any question arises whether or not any person is entitled to any privilege or immunity under this Act, a certificate issued by or under the authority of the Minister stating any fact relating to that question shall be conclusive evidence of that fact.

Use, etc. of official seal of United Nations.

6. (1) No person shall assume or use in connection with any trade, business, calling or profession, the name, official seal or emblem of the United Nations or any of its Specialised Agencies or any seal or emblem so nearly resembling any such seal or emblem as to be likely to deceive.

(2) A facsimile copy of each seal or emblem in relation to which subsection (1) applies shall be published in the *Gazette*.

(3) Evidence of any seal or emblem in relation to which subsection (1) applies may be given by the production of the *Gazette* purporting to contain a copy of the seal or emblem.

(4) Any person who contravenes sub-section (1) is liable on summary conviction to a fine of one thousand five hundred dollars or to imprisonment for one year.

Meaning of “body corporate”.

7. The words “body corporate” in sections 3 and 4 of this Act vest in that body the power to sue, to contract and to be contracted with by its corporate name, to have a common seal, to have perpetual succession, to acquire and hold real and personal property for purposes for which the body corporate is constituted, to dispose of such property, and to regulate its own procedure and business.

Regulations.

8. The Governor-General may make regulations prescribing all matters which may be necessary for giving effect to this Act.

FIRST SCHEDULE

(Section 3)

**ARTICLES OF THE CONVENTION ON THE PRIVILEGES AND IMMUNITIES
OF THE UNITED NATIONS HAVING THE FORCE OF LAW IN SAINT
CHRISTOPHER AND NEVIS****ARTICLE I****Juridical Personality**

Section 1. The United Nations shall possess juridical personality. It shall have the capacity

- (a) to contract;
- (b) to acquire and dispose of immovable and movable property;
- (c) to institute legal proceedings.

ARTICLE II**Property, Funds and Assets**

Section 2. The United Nations, its property and assets wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except insofar as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 3. The premises of the United Nations shall be inviolable. The property and assets of the United Nations, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

Section 4. The archives of the United Nations, and in general all documents belonging to it or held by it, shall be inviolable wherever located.

Section 5. Without being restricted by financial controls, regulations or moratoria of any kind,

- (a) the United Nations may hold funds, gold or currency of any kind and operate accounts in any currency;
- (b) the United Nations shall be free to transfer its funds, gold or currency from one country to another or within any country and to convert any currency held by it into any other currency.

Section 6. In exercising its rights under section 5 overleaf, the United Nations shall pay due regard to any representations made by the Government of any Member insofar as it is considered that effect can be given to such representations without detriment to the interests of the United Nations.

Section 7. The United Nations, its assets, income and other property shall be

- (a) exempt from all direct taxes; it is understood, however, that the United Nations will not claim exemption from taxes which are, in fact, no more than charges for public utility services;
- (b) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the United Nations for its official use. It is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed with the Government of that country;
- (c) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of its publications.

Section 8. While the United Nations will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the United Nations is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, Members will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

ARTICLE III

Facilities in Respect of Communications

Section 9. The United Nations shall enjoy in the territory of each Member for its official communications treatment not less favourable than that accorded by the Government of that Member to any other Government including its diplomatic mission in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications; and press rates for information to the press and radio. No censorship shall be applied to the official correspondence and other official communications of the United Nations.

Section 10. The United Nations shall have the right to use codes and to despatch and receive its correspondence by courier or in bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

ARTICLE IV

The Representatives of Members

Section 11. Representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, shall while exercising their functions and during their journey to and from the place of meeting, enjoy the following privileges and immunities:

- (a) immunity from personal arrest or detention and from seizure of their personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind;
- (b) inviolability for all papers and documents;
- (c) the right to use codes and to receive papers or correspondence by courier or in sealed bags;

- (d) exemption in respect of themselves and their spouses from immigration restrictions, alien registration or national service obligations in the State they are visiting or through which they are passing in the exercise of their functions;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded representatives of foreign governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys; and also
- (g) such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic envoys enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise than as part of their personal baggage) or from excise duties or sales taxes.

Section 12. In order to secure, for the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, complete freedom of speech and independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer the representatives of Members.

Section 13. Where the incidence of any form of taxation depends upon residence, periods during which the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences by the United Nations are present in a State for the discharge of their duties shall not be considered as periods of residence.

Section 14. Privileges and immunities are accorded to the representatives of Members not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the United Nations. Consequently a Member not only has the right but is under a duty to waive the immunity of its representative in any case where in the opinion of the Member the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 15. The provisions of sections 11, 12, and 13 are not applicable as between a representative and the authorities of the State of which he or she is a national or of which he or she is or has been the representative.

Section 16. In this Article the expression “representatives” shall be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations.

ARTICLE V

Officials

Section 17. The Secretary-General will specify the categories of officials to which the provisions of this Article and Article VII shall apply. He shall submit these categories to the General Assembly. Thereafter these categories shall be communicated to the Governments of all Members. The names of the officials

included in these categories shall from time to time be made known to the Governments of Members.

Section 18. Officials of the United Nations shall

- (a) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) be exempt from taxation on the salaries and emoluments paid to them by the United Nations;
- (c) be immune from national service obligations;
- (d) be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
- (e) be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to the Government concerned;
- (f) be given, together with their spouses and relatives dependent on them the same repatriation facilities in time of international crisis as diplomatic envoys;
- (g) have the right to import free of duty their furniture and effects at the time of first taking up their posts in the country in question.

Section 19. In addition to the immunities and privileges specified in section 18, the Secretary-General and all Assistant Secretaries-General shall be accorded in respect of themselves, their spouses and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

Section 20. Privileges and immunities are granted to officials in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and duty to waive the immunity of any official in any case where, in his or her opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. In the case of the Secretary-General, the Security Council shall have the right to waive immunity.

Section 21. The United Nations shall co-operate at all times with the appropriate authorities of Members to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this Article.

ARTICLE VI

Experts on Missions for the United Nations (UN)

Section 22. Experts (other than officials coming within the scope of Article V) performing missions for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions, including the time spent on journeys in connection with their missions. In particular they shall be accorded

- (a) immunity from personal arrest or detention and from seizure of their personal baggage;

- (b) in respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind. This immunity from legal process shall continue to be accorded notwithstanding that the persons concerned are no longer employed on missions for the United-Nations;
- (c) inviolability for all papers and documents;
- (d) for the purpose of their communications with the United Nations, the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys.

Section 23. Privileges and immunities are granted to experts in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any expert in any case where, in his or her opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the United Nations.

ARTICLE VIII

United Nations *Laissez-Passer*

Section 24. The United Nations may issue United Nations *laissez-passer* to its officials. These *laissez-passer* shall be recognised and accepted as valid travel documents by the authorities of Members, taking into account the provisions of Section 25.

Section 25. Applications for visas (where required) from the holders of United Nations *laissez-passer*, when accompanied by a certificate that they are travelling on the business of the United Nations, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

Section 26. Similar facilities to those specified in Section 25 shall be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer*, have a certificate that they are travelling on the business of the United Nations.

Section 27. The Secretary-General, Assistant Secretaries-General and Directors travelling on United Nations *laissez-passer* on the business of the United Nations shall be granted the same facilities as are accorded to diplomatic envoys.

SECOND SCHEDULE*(Section 4)***ARTICLES OF THE CONVENTION ON THE PRIVILEGES AND
IMMUNITIES OF THE SPECIALISED AGENCIES HAVING THE
FORCE OF LAW IN SAINT CHRISTOPHER AND NEVIS****ARTICLE II****Juridical Personality**

Section 3. The specialised agencies shall possess juridical personality. They shall have the capacity (a) to contract, (b) to acquire and dispose of immovable and movable property, (c) to institute legal proceedings.

ARTICLE III**Property Funds and Assets**

Section 4. The specialised agencies, their property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case they have expressly waived their immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 5. The premises of the specialised agencies shall be inviolable. The property and assets of the specialised agencies, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

Section 6. The archives of the specialised agencies, and in general all documents belonging to them or held by them, shall be inviolable, wherever located.

Section 7. Without being restricted by financial controls, regulations or moratoria of any kind:

- (a) the specialised agencies may hold funds, gold or currency of any kind and operate accounts in any currency;
- (b) the specialised agencies may freely transfer their funds, gold or currency from one country to another or within any country and convert any currency held by them into any other currency.

Section 9. The specialised agencies, their assets, income and other property shall be:

- (a) exempt from all direct taxes; it is understood, however, that the specialised agencies will not claim exemption from taxes which are, in fact, no more than charges for public utility services;
- (b) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the specialised agencies for their official use; it is understood, however, that articles imported under such exemptions will not be sold in the country into which they were imported except under conditions agreed to with the Government of that country;

- (c) exempt from duties and prohibitions and restrictions on imports and exports in respect of their publications.

Section 10. While the specialised agencies will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which forms part of the price to be paid, nevertheless when the specialised agencies are making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, State parties to this Convention will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

ARTICLE IV

Facilities in Respect of Communications

Section 11. Each specialised agency shall enjoy, in the territory of each State party to this Convention in respect of that agency, for its official communications, treatment not less favourable than that accorded by the Government of such State to any other Government, including the latter's diplomatic mission, in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications, and press rates for information to the press and radio.

Section 12. No censorship shall be applied to the official correspondence and other official communications of the specialised agencies.

The specialised agencies shall have the right to use codes and to dispatch and receive correspondence by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Nothing in this section shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a State party to this Convention and a specialised agency.

ARTICLE V

Representatives of Members

Section 13. Representatives of members at meetings convened by a specialised agency shall, while exercising their functions and during their journeys to and from the place of meeting, enjoy the following privileges and immunities:

- (a) immunity from personal arrest or detention and from seizure of their personal baggage, and in respect of words spoken or written and all acts done by them in their official capacity, immunity from legal process of every kind;
- (b) inviolability for all papers and documents;
- (c) the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (d) exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration or national service obligations in the State which they are visiting or through which they are passing in the exercise of their functions;

- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions.

Section 14. In order to secure for the representatives of members of the specialised agencies at meetings convened by them complete freedom of speech and complete independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer engaged in the discharge of such duties.

Section 15. Where the incidence of any form of taxation depends upon residence, periods during which the representatives of members of the specialised agencies at meetings convened by them are present in a member State for the discharge of their duties shall not be considered as periods of residence.

Section 16. Privileges and immunities are accorded to the representatives of members, not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the specialised agencies. Consequently, a member not only has the right but is under a duty to waive the immunity of its representatives in any case where, in the opinion of the member, the immunity would impede the course of justice, and where it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 17. The provisions of sections 13, 14 and 15 are not applicable in relation to the authorities of a State of which the person is a national or of which he or she is or has been a representative.

ARTICLE VI

Officials

Section 18. Each specialised agency will specify the categories of officials to which the provisions of this Article and of Article VIII shall apply. It shall communicate them to the Governments of all States parties to this Convention in respect of that agency and to the Secretary-General of the United Nations. The names of the officials included in these categories shall from time to time be made known to the above-mentioned Governments.

Section 19. Officials of the specialised agencies shall:

- (a) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) enjoy the same exemptions from taxation in respect of the salaries and emoluments paid to them by the specialised agencies and on the same conditions as are enjoyed by officials of the United Nations;
- (c) be immune, together with their spouses and relatives dependent upon them, from immigration restrictions and alien registration;
- (d) be accorded the same privileges in respect of exchange of facilities as are accorded to officials of comparable rank of diplomatic missions;

- (e) be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crises as officials of comparable rank of diplomatic missions;
- (f) have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

Section 20. The officials of the specialised agencies shall be exempt from national service obligations, provided that, in relation to the State of which they are nationals, such exemption shall be confined to officials of the specialised agencies whose names have, by reason of their duties, been placed upon a list compiled by the executive head of the specialised agency and approved by the State concerned.

Should other officials of specialised agencies be called up for national service, the State concerned shall, at the request of the specialised agency concerned, grant such temporary deferment in the call-up of such officials as may be necessary to avoid interruption in the continuation of essential work.

Section 21. In addition to the immunities and privileges specified in sections 19 and 20, the executive head of each specialised agency, including any official acting on his behalf during his absence from duty, shall be accorded in respect of himself, his spouse and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

Section 22. Privileges and immunities are granted to officials in the interests of the specialised agencies only and not for personal benefit of the individuals themselves. Each specialised agency shall have the right and the duty to waive the immunity of any official in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the specialised agency.

Section 23. Each specialised agency shall co-operate at all times with the appropriate authorities of member States to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuses in connection with the privileges, immunities and facilities mentioned in this Article.

ARTICLE VII

Abuses of Privilege

Section 25 – 1. Representatives of members at meetings convened by specialised agencies, while exercising their functions and during their journeys to and from the place of meeting, and officials within the meaning of section 18, shall not be required by the territorial authorities to leave the country in which they are performing their functions on account of any activities by them in their official capacity. In the case, however, of abuse of privileges of residence committed by any such person in activities in that country outside his or her official functions, he may be required to leave by the government of that country provided that:

2. (I) Representatives of members, or persons who are entitled to diplomatic immunity under section 21, shall not be required to leave the country otherwise than in accordance with the diplomatic procedure applicable to diplomatic envoys accredited to that country.

(II) In the case of an official to whom section 21 is not applicable, no order to leave the country shall be issued other than with the approval of the Foreign Minister of the country in question, and such approval shall be given only after consultation with the executive Head of the specialised agency concerned; and, when expulsion

proceedings are taken against an official, the executive head of the specialised agency shall have the right to appear in such proceedings on behalf of the person against whom they are instituted.

Laissez-Passer

Section 26. Officials of the specialised agencies shall be entitled to use the United Nations *laissez-passer* in conformity with administrative arrangements to be concluded between the Secretary-General of the United Nations and the competent authorities of the specialised agencies to which agencies special powers to issue *laissez-passer* may be delegated. The Secretary-General of the United Nations shall notify each State party of this Convention of each administrative arrangement so concluded.

Section 28. Application for visas, where required, from officials of specialised agencies holding United Nations *laissez-passer*, when accompanied by a certificate that they are travelling on the business of a specialised agency, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

Section 29. Similar facilities to those specified in section 28 shall be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer* have a certificate that they are travelling on the business of a specialised agency.

Section 30. The Executive Heads, Assistant Executive Heads, Heads of Departments and other officials of a rank not lower than Head of Department of the specialised agencies, travelling on United Nations *laissez-passer* on the business of the specialised agencies, shall be granted the same facilities for travel as are accorded to officials of comparable rank in diplomatic missions.

THIRD SCHEDULE

(Saved by section 19 of the Interpretation Act, Cap. 1.02)

**DIPLOMATIC PRIVILEGES
(FOOD AND AGRICULTURE ORGANISATION) ORDER****Short title.**

1. This Order may be cited as the Diplomatic Privileges (Food and Agriculture Organisation) Order.

A. THE ORGANISATION**Declaration.**

2. The Food and Agriculture Organisation (hereinafter referred to as “the Organisation”) is an Organisation of which the Crown and the Governments of foreign sovereign Powers are members.

Body Corporate.

3. The Organisation shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

Inviolability of Official Archives, etc.

4. The Organisation shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

Exemption from Taxes.

5. The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

Exemption from Customs Duty.

6. The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in the State or for exportation, or on the importation of any of the publications of the Organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs in the State may prescribe for the protection of the revenue.

Exemption from Prohibitions and Restrictions on Importations, etc.

7. The Organisation shall have exemption from prohibitions and restrictions on the importation or exportation in the case of foods directly imported or exported by the Organisation for its official use and in the case of any publications of the Organisations directly imported or exported by it.

Reduced Rates for Telegraphic Communications.

8. The Organisation shall have the right whenever there is in operation a Government telegraphic service, to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the State), of any reduced rates applicable for the corresponding service in the case of press telegrams.

**B. REPRESENTATIVES OF MEMBERS: CHAIRPERSON OF
THE COUNCIL OF THE ORGANISATION****Immunity and Privileges.**

9. (1) Except in so far as any privilege or immunity is waived, in the case of representatives of member Governments, by the Governments whom they represent and, in the case of the Chairperson of the Council of the Organisation, by the Council of the Food and Agriculture Organisation, representatives of member Governments, and the Chairperson of the Council of the Organisation shall enjoy—

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives;
- (c) while exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage, and they shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the State during any period when they are present in the State whilst exercising their functions and during their journey to and from the place of meeting, and the provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the State.

(2) For the purpose of the application of this Order, the expression “representatives of member governments” shall be deemed to include their official staffs accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this section shall not confer any immunity or privilege upon any person as the representative of the Crown in the State or as a member of the staff of such a representative, or any person who is a British subject and who is not the representative of a Government of Her Majesty other than Her Majesty’s Government in the State or a member of the staff of and accompanying any such representative.

C. HIGH OFFICIALS

Immunity of Director-General and Deputy Director-General.

10. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, officers of the Organisation holding the offices of Director-General and Deputy Director-General shall be accorded in respect of themselves, their spouses and children under eighteen years, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, including exemption from income tax in respect of emoluments received by them as officers of the Organisation.

D. PERSONS EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANISATION

Immunity of persons serving on behalf of the Organisation.

11. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, persons (other than officials of the Organisation) serving on Committees of, or on behalf of the Organisation shall enjoy—

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the work of the Organisation;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions. Such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Organisation.

E. OTHER OFFICIALS OF THE ORGANISATION

Immunities and Privileges.

12. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, all officials of the Organisation (other than those referred to in section 10 above) shall enjoy—

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties;
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation.

F. GENERAL

List of Persons Entitled to Immunities and Privileges.

13. The names of the persons to whom the provisions of sections 9 and 10 of this Order apply shall be set forth in a list compiled and published from time to time by the Minister under section 2(3) of the Act, and such list shall show in regard to each person the date as from which, for the purposes of this Order, he or she first held the

office or employment in question, and the date when he or she ceased to hold that office or employment.

FOURTH SCHEDULE

(Saved by section 19 of the Interpretation Act, Cap. 1.02)

DIPLOMATIC PRIVILEGES (INTERNATIONAL CIVIL AVIATION ORGANISATION) ORDER

Short title.

1. This Order may be cited as the Diplomatic Privileges (International Civil Aviation Organisation) Order.

A. THE ORGANISATION

Declaration.

2. The International Civil Aviation Organisation set up under Article 43 of the Convention on International Civil Aviation signed at Chicago on 7th December, 1944, (hereinafter referred to as the Organisation) is an organisation of which the Crown and the Governments of foreign sovereign Powers are members.

Body Corporate.

3. The Organisation shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and process. No waiver of immunity shall be deemed to extend to any measure of execution.

Inviolability of Official Archives, etc.

4. The Organisation shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to the Crown.

Exemption from Taxes.

5. The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

Exemption from Customs Duty.

6. The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in the State or for exportation, or on the importation of any publications of the Organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs in the State may prescribe for the protection of the revenue.

Exemption from Prohibitions and Restrictions on Importation, etc.

7. The Organisation shall have 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 publication of the Organisation directly imported or exported by it.

Reduced Rates for Telegraphic Communications.

8. The Organisation shall have the right whenever there is in operation a Government telegraphic service, to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or dispatched from places outside the State) of any reduced rates applicable for the corresponding service in the case of press telegrams.

B. REPRESENTATIVES OF MEMBERS**Immunity and Privileges.**

9. (1) Except in so far as in any particular case any privilege or immunity is waived by the member Governments whom they represent, Representatives of member Governments to the Assembly or to the Council of the Organisation, to any Commission (however named) provided for in the constitution of the Organisation, or to any Committee of such Assembly, Council or Commission shall enjoy—

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives;
- (c) while exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage, and they shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the State during any period when they are present in the State whilst exercising their functions or during their journey to and from the place of meeting, and the provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the State.

(2) For the purpose of the application of this Order, the expression “representatives of member governments” shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

C. HIGH OFFICIALS

Persons entitled to Immunities and Privileges.

10. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, the Secretary-General or the Deputy Secretary-General of the Organisation and the President of the Council of the Organisation shall be accorded in respect of themselves, their spouses and children under the age of eighteen, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, including exemption from income tax in respect of emoluments received by them as officers of the Organisation.

D. PERSONS SERVING ON COMMITTEES OF OR EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANISATION

Immunities.

11. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, persons (other than officials of the Organisation) serving on Committees of, or employed on missions on behalf of the Organisation shall enjoy—

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the work of the Organisation;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of these functions. Such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Organisation.

E. OTHER OFFICIALS OF THE ORGANISATION

Immunities and Privileges.

12. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, officials of the Organisation (other than those referred to in section 10 above) shall enjoy—

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties; and
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation.

F. GENERAL

List of Persons Entitled to Immunities and Privileges.

13. The names of the persons to whom the provisions of sections 9, 10, 11, and 12 of this Order apply shall be set forth in a list compiled and published from time to time by the Minister under the Act, and such list shall show in regard to each person the date as from which, for the purpose of this Order, he or she first held office or

employment in question, and the date when he or she ceased to hold that office or employment.

FIFTH SCHEDULE

(Saved by section 19 of the Interpretation Act. Cap. 1.02)

DIPLOMATIC PRIVILEGES (INTERNATIONAL LABOUR ORGANISATION) ORDER

Short title.

1. This Order may be cited as the Diplomatic Privileges (International Labour Organisation) Order.

A. THE ORGANISATION

Declaration.

2. The International Labour Organisation is an organisation of which the Crown and the Governments of foreign sovereign Powers are members.

Body Corporate.

3. The International Labour Organisation shall have the legal capacities of a body corporate and except in so far as in any particular case it has expressly waived its immunity, immunity from suit and process. No waiver of immunity shall be deemed to extend to any measure of execution.

Inviolability of Official Archives, etc.

4. The International Labour Organisation shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to the Crown.

Exemption from Taxes.

5. The International Labour Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

Exemption from Customs Duty.

6. The International Labour Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in the State or for exportation, or on the importation of any of the publications of the Organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs in the State may prescribe for the protection of the revenue.

Exemption from Prohibitions and Restrictions on Importations, etc.

7. The International Labour Organisation shall have 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.

Reduced Rates for Telegraphic Communications.

8. The International Labour Organisation shall have the right whenever there is in operation a Government telegraphic service, to avail itself, for telegraphic communications sent by it and containing only matters for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the State), of any reduced rates applicable for the corresponding service in the case of press telegrams.

**B. REPRESENTATIVES OF MEMBERS: MEMBERS OF THE GOVERNING
BODY OF THE INTERNATIONAL LABOUR OFFICE****Immunity and Privileges.**

9. (1) Except in so far as any privilege or immunity is waived, in the case of representatives of member Governments, by the Governments whom they represent; and in the case of members and deputy members of the Governing Body of the International Labour Office and their substitutes, by the Governing Body, representatives of member Governments and the employers' and workers' members and deputy members of the Governing Body of the International Labour Office and their substitutes shall enjoy—

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives or as members of the Governing Body of the International Labour Office as the case may be;
- (c) while exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage. They shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the State during any period when they are present in the State whilst exercising their functions or during their journey to and from the place of meeting.

(2) The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the State.

(3) For the purpose of the application of this Order the expression "representatives of member governments" shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers technical experts or secretaries of delegations.

C. HIGH OFFICIALS

Persons entitled to Immunities and Privileges.

10. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, officers of the International Labour Organisation holding the offices of Director-General, Deputy Director-General and Assistant Director-General shall be accorded in respect of themselves, their spouses and children under eighteen years, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his or her spouse and children, including exemption from income tax in respect of emoluments received by them as officers of the Organisation.

D. PERSONS SERVING ON COMMITTEES OF OR EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANISATION

Immunities.

11. Except in so far as in any particular case any privilege is waived by the Organisation, persons (other than officials of the Organisation) serving on Committees of, or employed on missions on behalf of the International Labour Organisation shall enjoy—

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the work of the Organisation;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions. Such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the International Labour Organisation.

E. OTHER OFFICIALS OF THE ORGANISATION

Immunities and Privileges.

12. Except in so far as in any particular case any privilege or immunity is waived by the International Labour Organisation, all officials of the Organisation (other than those referred to in section 10 above) shall enjoy—

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties;
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the International Labour Organisation.

F. GENERAL

List of Persons Entitled to Immunities and Privileges.

13. The names of the persons to whom the provisions of sections 9, 10, 11 and 12 of this Order apply shall be set forth in a list compiled and published from time to time by the Minister under the Act, and such list shall show in regard to each person

the date as from which, for the purposes of this Order, he or she first held the office or employment in question, and the date when he or she ceased to hold that office or employment.

SIXTH SCHEDULE

(Saved by section 19 of the Interpretation Act, Cap. 1.02)

DIPLOMATIC PRIVILEGES (INTERNATIONAL REFUGEE ORGANISATION) ORDER

Short title.

1. This Order may be cited as the Diplomatic Privileges (International Refugee Organisation) Order.

A. THE ORGANISATION

Declaration.

2. The International Refugee Organisation (hereinafter referred to as “the Organisation”) is an organisation of which the Crown and the Governments of foreign sovereign Powers are members.

Body Corporate.

3. The Organisation shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

Inviolability of Official Archives, etc.

4. The Organisation shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to the Crown.

Exemption from Taxes.

5. The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

Exemption from Customs Duty.

6. The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in the State, or for exportation, or on the importation of any publications of the Organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs in the State may prescribe for the protection of the revenue.

Exemption from Prohibitions and Restrictions on Importations, etc.

7. The Organisation shall have 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 publication of the Organisation directly imported or exported by it.

Reduced Rates for Telegraphic Communications.

8. The Organisation shall have the right whenever there is in operation a Government telegraphic service, to avail itself, for telegraphic communications sent by it and containing only matter for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the State), of any reduced rates applicable for the corresponding service in the case of press telegrams.

B. REPRESENTATIVES OF MEMBERS**Immunity and Privileges.**

9. (1) Except in so far as in any particular case any privilege or immunity is waived by the member Governments whom they represent, representatives of member Governments to the Council of the Organisation shall enjoy—

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives;
- (c) while exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, save that the relief allowed, shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage, and they shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the State during any period when they are present in the State whilst exercising their functions or during their journey to and from the place of meeting, and the provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the State.

(2) For the purpose of the application of this Order, the expression “representatives of member governments” shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

C. HIGH OFFICIALS.**Persons entitled to Immunities and Privileges.**

10. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, the Director-General or the Deputy Director-General of the Organisation shall be accorded in respect of themselves, their spouses and children

under eighteen years, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his or her spouse and children, including exemption from income tax in respect of emoluments received by them as officers of the Organisation.

D. PERSONS EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANISATION

Immunities.

11. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, persons employed on missions on behalf of the Organisation shall enjoy—

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the work of the Organisation.
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of these functions, and such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Organisation.

E. OTHER OFFICIALS OF THE ORGANISATION

Immunities and Privileges.

12. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, officials of the Organisation (other than those referred to in section 10 above or officials engaged locally and remunerated by payment calculated on the number of hours worked) shall enjoy—

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties; and
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation.

F. GENERAL

List of Persons entitled to Immunities and Privileges.

13. The names of the persons to whom the provisions of sections 9 and 10 of this Order apply shall be set forth in a list compiled and published from time to time by the Minister under section 2(3) of the Act, and such list shall show in regard to each person the date as from which, for the purpose of this Order, he or she first held the office or employment in question, and the date when he or she ceased to hold that office or employment.

SEVENTH SCHEDULE

(Saved by section 19 of the Interpretation Act, Cap. 1.02)

**DIPLOMATIC PRIVILEGES
(INTERNATIONAL TELECOMMUNICATION UNION) ORDER****Short title.**

1. This Order may be cited as the Diplomatic Privileges (International Telecommunication Union) Order.

A. THE ORGANISATION**Declaration.**

2. The International Telecommunication Union (hereinafter referred to as “the Union”) is an Organisation of which the Crown and foreign sovereign Powers are members.

Body Corporate.

3. The Union shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

Inviolability of Archives.

4. The Union shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to the Crown.

Exemption from Taxes.

5. The Union shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

Exemption from Customs Duty.

6. The Union shall have exemption from taxes on the importation of goods directly imported by the Union for its official use in the State or for exportation, or on the importation of any publications of the Union directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs of the State may prescribe for the protection of the revenue.

Exemption from Prohibition and Restrictions on Importation, etc.

7. The Union shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Union for its official use and in the case of any publications of the Union directly imported or exported by it.

B. REPRESENTATIVES ON ORGANS OR COMMITTEES OF THE UNION

Immunity and Privileges.

8. (1) Except in so far as in any particular case any privilege or immunity is waived by the Government whom they represent, representatives of member Governments at plenipotentiary and administrative conferences, on the administrative council, on consultative committees or on any committee of any of those bodies shall enjoy—

- (a) while exercising their functions as such and during their journeys to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and things done or omitted to be done by them in their capacity as representatives.

(2) Where the incidence of any form of taxation depends upon residence, representatives shall not be deemed to be resident in the State during any period when they are present in the State for the discharge of their duties.

(3) For the purposes of the application of this section the expression “representatives” shall be deemed to include, in addition to the representatives, the following members of their official staffs accompanying them as such representatives—

- (a) Alternate representatives;
- (b) Advisers;
- (c) Technical experts; and
- (d) Secretaries of Delegations,

and Part IV of the Schedule to the Act shall not operate so as to confer privileges or immunities on the staffs of representatives other than on those persons falling within the above-mentioned descriptions.

C. HIGH OFFICIALS OF THE UNION

The Secretary-General.

9. Except in so far as in any particular case any privilege or immunity is waived by the Union, any officer of the Union holding the office of Secretary-General (including any officer acting for him or her during his or her absence from duty) shall be accorded in respect of himself or herself, his or her spouse and his or her children under the age of eighteen, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes, other than income tax, as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, and exemption from income tax in respect of emoluments received by him or her as an officer of the Union.

D. OTHER OFFICIALS OF THE UNION

Immunities.

10. Except in so far as in any particular case any privilege or immunity is waived by the Union, officials of the Union of any category specified by it shall enjoy—

- (a) immunity from suit and legal process in respect of words spoken or written and things done or omitted to be done by them in the course of the performance of their official duties;
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Union.

E. GENERAL

List of Persons Entitled to Immunities and Privileges.

11. The names of the persons to whom the provisions of sections 8, 9 and 10 of this Order apply shall be set forth in a list compiled and published from time to time by the Minister under section 2(3) of the Act, and such list shall show in regard to each person the date as from which, for the purposes of this Order, he or she first held the office or employment in question and the date when he or she ceased to hold that office or employment.

EIGHTH SCHEDULE

(Saved by section 19 of the Interpretation Act, Cap. 1.02)

DIPLOMATIC PRIVILEGES (UNITED NATIONS AND INTERNATIONAL COURT OF JUSTICE) ORDER

Short title.

1. This Order may be cited as the Diplomatic Privileges (United Nations and International Court of Justice) Order.

PART I

THE UNITED NATIONS

A. THE ORGANISATION

Declaration.

2. The United Nations set up by the Charter at San Francisco on the 26th June, 1945, is an Organisation of which the Crown and the governments of foreign Powers are members.

Body Corporate.

3. The United Nations shall have the legal capacity of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, and immunity from suit and legal process, and no waiver of immunity shall be deemed to extend to any measure of execution.

Inviolability of Official Archives, etc.

4. The United Nations shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to the Crown.

Exemption from Taxes.

5. The United Nations shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

Exemption from Customs Duty.

6. The United Nations shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in the State or for exportation, or on the importation of any publications of the organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs in the State may prescribe for the protection of the revenue.

Exemption from Prohibitions and Restrictions on Importation, etc.

7. The United Nations shall have exemption from prohibitions and restrictions on importation and 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.

Reduced Rates for Telegraphic Communications.

8. The United Nations shall have the right whenever there is in operation a Government telegraphic service, to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the State), of any reduced rates applicable for the corresponding service in the case of press telegrams.

B. REPRESENTATIVES OF MEMBERS**Immunities and Privileges.**

9. Except in so far as in any particular case any privilege or immunity is waived by the member governments whom they represent Representatives of member governments to the General Assembly or to any Council or other organ of the United Nations shall enjoy—

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives;
- (c) while exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage, and they shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the State during any period when they are present in the State while exercising their functions or during their journey to and from the place of meeting, and the provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the State.

C. HIGH OFFICIALS OF THE UNITED NATIONS**Maximum number of persons entitled to Immunities and Privileges.**

10. Except in so far as in any particular case any privilege or immunity is waived by the Secretary-General or the Security Council of the United Nations, the Secretary-General and Assistant Secretaries-General of the United Nations (and not exceeding at one time six in number) shall be accorded in respect of themselves, their spouses and children under eighteen years the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes

as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his or her spouse and children, and they shall also enjoy exemption from income tax in respect of emoluments received by them as officers of the United Nations.

D. PERSONS EMPLOYED ON MISSIONS ON BEHALF OF THE UNITED NATIONS

Immunities.

11. Except in so far as in any particular case any privilege or immunity is waived by the Secretary-General of the United Nations, persons employed on missions on behalf of the United Nations shall enjoy—

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of these functions.

E. OTHER OFFICIALS OF THE UNITED NATIONS

Immunities and Privileges.

12. Except in so far as in any particular case any privilege or immunity is waived by the Secretary-General of the United Nations, officials of the United Nations (other than those referred to in paragraph 11 above, and officials engaged locally and remunerated by payment calculated by the number of hours worked) shall enjoy—

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties; and
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the United Nations.

PART II

INTERNATIONAL COURT OF JUSTICE

Immunities and Privileges.

13. Except in so far as in any particular case any privilege or immunity is waived by the Court, the Judges and Registrar of the International Court of Justice (including any officer of the Court acting as Registrar) shall, when engaged on the business of the Court and during any journey to and from the place where the Court is sitting in connection with such business, enjoy the like immunity from suit and legal process, the like inviolability of residence and also unless they are British subjects whose usual place of abode is in the State the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown.

Exemption from Income Tax.

14. The Judges and Registrar of the International Court of Justice shall enjoy exemption from income tax in respect of all emoluments received by them as Judges or Registrar.

Immunities and Privileges.

15. (1) Except in so far as in any particular case any privilege or immunity is waived by the government whom they represent before the Court, the agents, counsel and advocates of parties before the Court shall enjoy—

- (a) when engaged on their missions before the Court and during their journeys to and from the place where the Court is sitting in connection with such missions, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in this capacity;
- (c) when engaged on their missions before the Court and during their journeys to and from the place where the Court is sitting in connection with such mission, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, save that the relief allowed shall not include relief from customs or excise duties except in respect of goods imported as part of their personal baggage, and they shall not, where the incidence of any form of tax depends upon residence, be deemed to be resident in the State during any period when they are present in the State while exercising these functions or during their journey to and from the place of meeting, and the provisions of this sub-paragraph shall not apply to British subjects whose usual place of abode is in the State.

(2) The provisions of this paragraph do not apply to any agents, counsel or advocates acting on behalf of the Crown in the State or to any British subject acting on behalf of any other Government except a Government of Her Majesty other than the Crown.

PART III
GENERAL

List of Persons Entitled to Immunities and Privileges.

16. The names of the persons to whom the provisions of paragraphs 9, 10, 11, 13, 14, and 15 of this Order apply shall be set forth in a list compiled and published from time to time by the Minister under section 2(3) of the Act and such list shall show in regard to each person the date as from which, for the purposes of this Order, he or she first held the office or employment in question, and the date when he or she ceased to hold that office or employment.

ANNEX I**GENERAL CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE
UNITED NATIONS, TOGETHER WITH CERTAIN RESOLUTIONS ADOPTED
BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON 13TH
FEBRUARY, 1946****I**

The General Assembly approves the annexed convention on the Privileges and Immunities of the United Nations and proposes it for accession by each Member of the United Nations.

CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS

Whereas Article 104 of the Charter of the United Nations provides that the Organisation shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes, and

Whereas Article 105 of the Charter of the United Nations provides that the Organisation shall enjoy in the territory of each of its members such privileges and immunities as are necessary for the fulfilment of its purposes and that representatives of the Members of the United Nations and officials of the Organisation shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of the functions in connection with the Organisation.

Consequently the General Assembly by a Resolution adopted on the 13th February, 1946, approved the following Convention and proposes it for accession by each Member of the United Nations.

ARTICLE I**Juridical Personality**

Section 1. The United Nations shall possess juridical personality. It shall have the capacity

- (a) to contract;
- (b) to acquire and dispose of immovable and movable property;
- (c) to institute legal proceedings.

ARTICLE II**Property, Funds and Assets**

Section 2. The United Nations, its property and assets wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 3. The premises of the United Nations shall be inviolable. The property and assets of the United Nations wherever located and by whomsoever held shall be immune from search, requisition, confiscation, expropriation and any other

form of interference, whether by executive, administrative, judicial or legislative action.

Section 4. The archives of the United Nations, and in general all documents belonging to it or held by it, shall be inviolable wherever located.

Section 5. Without being restricted by financial controls, regulations or moratoria of any kind

- (a) the United Nations may hold funds, gold or currency of any kind and operate accounts in any currency;
- (b) the United Nations shall be free to transfer its funds, gold or currency from one country to another or within any country and to convert any currency held by it into any other currency.

Section 6. In exercising its rights under section 5 above, the United Nations shall pay due regard to any representations made by the Government of any Member in so far as it is considered that effect can be given to such representations without detriment to the interests of the United Nations.

Section 7. The United Nations, its assets, income and other property shall be

- (a) exempt from all direct taxes; it is understood, however, that the United Nations will not claim exemption from taxes which are, in fact, no more than charges for public utility services;
- (b) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the United Nations for its official use. It is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed with the Government of that country.
- (c) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of its publications.

Section 8. While the United Nations will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the United Nations is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, Members will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

ARTICLE III

Facilities in Respect of Communications

Section 9. The United Nations shall enjoy in the territory of each Member for its official communications treatment not less favourable than that accorded by the Government of that Member to any other Government including its diplomatic mission in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications; and press rates for information to the press and radio. No censorship shall be applied to the official correspondence and other official communications of the United Nations.

Section 10. The United Nations shall have the right to use codes and to despatch and receive its correspondence by courier or in bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

ARTICLE IV

The Representatives of Members

Section 11. Representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, shall, while exercising their functions and during their journey to and from the place of meeting, enjoy the following privileges and immunities:

- (a) immunity from personal arrest or detention and from seizure of their personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind;
- (b) inviolability for all papers and documents;
- (c) the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (d) exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration or national service obligations in the State they are visiting or through which they are passing in the exercise of their functions;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys; and also
- (g) such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic envoys enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise than as part of their personal baggage) or from excise duties or sales taxes.

Section 12. In order to secure for the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, complete freedom of speech and independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer the representatives of Members.

Section 13. Where the incidence of any form of taxation depends upon residence, periods during which the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations are present in a State for the discharge of their duties shall not be considered as periods of residence.

Section 14. Privileges and immunities are accorded to the representatives of Members not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the United Nations. Consequently a Member not only has the right but is under a duty to waive the immunity of its representative in any case where in the opinion of the Member the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 15. The provisions of sections 11, 12 and 13 are not applicable as between a representative and the authorities of the State of which he or she is a national or of which he or she is or has been the representative.

Section 16. In this Article, the expression “representatives” shall be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations.

ARTICLE V

Officials

Section 17. The Secretary-General will specify the categories of officials to which the provisions of this Article and Article VII shall apply. He or she shall submit these categories to the General Assembly. Thereafter these categories shall be communicated to the Governments of all Members. The names of the officials included in these categories shall from time to time be made known to the Governments of Members.

Section 18. Officials of the United Nations shall

- (a) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) be exempt from taxation on the salaries and emoluments paid to them by the United Nations;
- (c) be immune from national service obligations;
- (d) be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registrations;
- (e) be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to the Government concerned;
- (f) be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crisis as diplomatic envoys;
- (g) have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

Section 19. In addition to the immunities and privileges specified in section 18, the Secretary-General and all Assistant Secretaries-General shall be accorded in respect of themselves, their spouses and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

Section 20. Privileges and immunities are granted to officials in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any official in the case where, in his or her opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. In the case of the Secretary-General, the Security Council shall have the right to waive immunity.

Section 21. The United Nations shall co-operate at all times with the appropriate authorities of Members to facilitate the proper administration of justice, secure the observance of police regulations, and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this Article.

ARTICLE VI

Experts on Missions for the United Nations

Section 22. Experts (other than officials coming within the scope of Article V) performing missions for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions, including the time spent on journeys in connection with their missions. In particular they shall be accorded

- (a) immunity from personal arrest or detention and from seizure of their personal baggage;
- (b) in respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind. This immunity from legal process shall continue to be accorded notwithstanding that the persons concerned are no longer employed on missions for the United Nations;
- (c) inviolability for all papers and documents;
- (d) for the purpose of their communications with the United Nations, the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys.

Section 23. Privileges and immunities are granted to experts in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any expert in any case where, in his or her opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the United Nations.

ARTICLE VII

United Nations *Laissez-Passer*

Section 24. The United Nations may issue United Nations *laissez-passer* to its officials. These *laissez-passer* shall be recognised and accepted as valid travel documents, by the authorities of Members, taking into account the provisions of section 25.

Section 25. Applications for visas (where required) from the holders of United Nations *laissez-passer*, when accompanied by a certificate that they are travelling on the business of the United Nations, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

Section 26. Similar facilities to those specified in section 25 shall be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer*, have a certificate that they are travelling on the business of the United Nations.

Section 27. The Secretary-General, Assistant Secretaries-General and Directors travelling on United Nations *laissez-passer* on the business of the United Nations shall be granted the same facilities as are accorded to diplomatic envoys.

Section 28. The provisions of this Article may be applied to the comparable officials of specialised agencies if the agreements for relationship made under Article 63 of the Charter so provide.

ARTICLE VIII

Settlement of Disputes

Section 29. The United Nations shall make provisions for appropriate modes of settlement of

- (a) disputes arising out of contracts or other disputes of a private law character, to which the United Nations is a party;
- (b) disputes involving any official of the United Nations who by reason of his or her official position enjoys immunity, if immunity has not been waived by the Secretary-General.

Section 30. All differences arising out of the interpretation or application of the present convention shall be referred to the International Court of Justice, unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between the United Nations on the one hand and a member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the Statute of the Court. The opinion given by the Court shall be accepted as decisive by the parties.

Final Article

Section 31. This convention is submitted to every member of the United Nations for accession.

Section 32. Accession shall be effected by deposit of an instrument with the Secretary-General of the United Nations and the convention shall come into force as regards each Member on the date of deposit of each instrument of accession.

Section 33. The Secretary-General shall inform all Members of the United Nations of the deposit of each accession.

Section 34. It is understood that, when an instrument of accession is deposited on behalf of any Member, the Member will be in a position under its own law to give effect to the terms of this convention.

Section 35. This convention shall continue in force as between the United Nations and every Member which has deposited an instrument of accession for so long as that Member remains a Member of the United Nations, or until a revised general convention has been approved by the General Assembly and that Member has become a party to this revised convention.

Section 36. The Secretary-General may conclude with any Member or Members supplementary agreements adjusting the provisions of this convention so far as that Member or those Members are concerned. These supplementary agreements shall in each case be subject to the approval of the General Assembly.

ANNEX 2

1. Extracts from the Statute of the Court.

ARTICLE 19

The members of the Court, when engaged on the business of the Court, shall enjoy diplomatic privileges and immunities.

ARTICLE 30

2. The Rules of the Court may provide for assessors to sit with the Court or with any of its chambers, without the right to vote.

ARTICLE 32

1. Each member of the Court shall receive an annual salary.
2. The President shall receive a special allowance.
3. The Vice-President shall receive a special allowance for every day on which he or she acts as President.
4. The Judges chosen under Article 31, other than members of the Court, shall receive compensation for each day on which they exercise their functions.
5. These salaries, allowances and compensation shall be fixed by the General Assembly. They may not be decreased during the term of office.
6. The salary of the Registrar shall be fixed by the General Assembly on the proposal of the Court.
7. Regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar and the conditions under which members of the Court and the Registrar shall have their travelling expenses refunded.
8. The above salaries, allowances and compensation shall be free of all taxation.

ARTICLE 42

1. The parties shall be represented by agents.
 2. They may have the assistance of counsel or advocates before the Court.
 3. The agents, counsel and advocates of parties before the Court shall enjoy the privileges and immunities necessary for the independent exercise of their duties.

2. PRIVILEGES AND IMMUNITIES OF MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE, THE REGISTRAR, OFFICIALS OF THE REGISTRY, ASSESSORS, THE AGENTS AND COUNSEL OF THE PARTIES AND OF WITNESSES AND EXPERTS.

By a resolution adopted on 13th February, 1946, the General Assembly with a view to ensuring that the International Court of Justice should enjoy the privileges, immunities and facilities necessary for the exercise of its functions and the fulfilment of its purposes, in the country of its seat and elsewhere, invited the Court at its first session to consider this question and to inform the Secretary-General of its recommendations.

The Court has accordingly examined the problem in its various aspects during its first session, held at The Hague from 3rd April to 6th May, 1946 and has transmitted to the General Assembly its conclusions.

The General Assembly considered the recommendations of the Court during the second part of its first session, and the report of the sixth Committee.

THE GENERAL ASSEMBLY

1. *Approves* the agreements concluded between the International Court of Justice and the Netherlands Government, as accorded in the exchange of letters between the President of the Court and the Minister of Foreign Affairs of the Netherlands.

2. *Recommends* that if a Judge, for the purpose of holding himself or herself permanently at the disposal of the Court, resides in some country other than his or her own, he or she should be accorded diplomatic privileges and immunities during the period of his or her residence there.

3. *Recommends* that Judges should be accorded every facility for leaving the country where they may happen to be, for entering the country where the Court is sitting, and again for leaving it. On journeys in connection with the exercise of their functions, they should, in all countries through which they may have to pass, enjoy all the privileges, immunities and facilities granted by these countries to diplomatic envoys.

This provision should also apply to the Registrar and to any officer of the Court acting as Registrar.

4. *Recommends* that

- (a) Officials of the Court should enjoy in any country where they may be on the business of the Court, or in any country through which they may pass on such business, such privileges, immunities and facilities for residence and travel as may be necessary for the independent exercise of their functions.

The Registrar and any officer of the Court acting as Registrar, should, while on the business of the Court, be accorded diplomatic privileges and immunities.

- (b) Inasmuch as these privileges and immunities are granted to officials of the Court in the interests of the International Court of Justice, and not for the personal benefit of the individuals themselves, the Registrar of the Court, with the President's approval, should have the right and the duty to waive the immunity in any case where, in his or her opinion, the immunity would impede the course of justice, and can be waived without prejudice to the interests of the Court. In the case of the Registrar, the Court should have the right to waive immunity.

5. *Recommends* that

- (a)(i) The agents, counsel and advocates before the Court should be accorded, during the period of their missions including the time spent on journeys in connection with their missions, the privileges and immunities provided for in Article IV, sections 11, 12 and 13 of the Convention on the Privileges and Immunities of the United Nations under the conditions of Article IV, section 15, of that Convention.

- (ii) Assessors of the Court should be accorded, during the period of their missions, including the time spent on journeys in connection with their missions, the privileges and immunities provided for in Article VI, section 22 of the Convention on the Privileges and Immunities of the United Nations.
 - (iii) Witnesses, experts and persons performing missions by order of the Court should be accorded, during the period of their missions, including the time spent on journeys in connection with their missions, the privileges and immunities provided for in Article VI, section 22 of the Convention on the Privileges and Immunities of the United Nations.
- (b) Inasmuch as the privileges and immunities referred to above under (a) are granted in the interests of the due administration of justice and not for the personal benefit of the individuals themselves, the appropriate authority should have the right and the duty to waive the immunity in any case where, in its opinion, the immunity would impede and can be waived without prejudice to the course of justice.

For this purpose, the competent authority in the case of agents, counsel and advocates representing a State will be the State concerned. In other cases (including those of assessors of the Court, persons performing missions by order of the Court and witnesses or experts), the competent authority will be the International Court of Justice or, when the Court is not sitting, the President of the Court.

6. *Recommends that*

- (a) The authorities of Members should recognise and accept United Nations *laissez-passer*, issued by the International Court of Justice to the members of the Court, the Registrar and the officials of the Court, as valid travel documents, taking into account the provisions of sub-paragraph (b);
- (b) Applications for visas (where required) from the Judges of the Court and the Registrar should be dealt with as speedily as possible. All other holders of *laissez-passer* should receive the same facilities when the applications for visas are accompanied by a certificate that they are travelling on the business of the Court. In addition, all holders of *laissez-passer* should be granted facilities for speedy travel.
- (c) Similar facilities to those specified in sub-paragraph (b) should be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer* delivered by the International Court of Justice, have a certificate that they are travelling on the business of the Court.

NINTH SCHEDULE

(Saved by section 19 of the Interpretation) Act, Cap. 1.02)

**DIPLOMATIC PRIVILEGES
(UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANISATION) ORDER****Short title.**

1. This Order may be cited as the Diplomatic Privileges (United Nations Educational, Scientific and Cultural Organisation) Order.

A. THE ORGANISATION**Declaration.**

2. The United Nations Educational, Scientific and Cultural Organisation (hereinafter referred to as the Organisation) is an Organisation of which the Crown and the Governments of foreign sovereign Powers are members.

Body Corporate.

3. The Organisation shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

Inviolability of Official Archives, etc.

4. The Organisation shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to the Crown.

Exemption from Taxes.

5. The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

Exemption from Customs Duty.

6. The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in the State or for exportation, or on the importation of any of the publications of the Organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs in the State may prescribe for the protection of the revenue.

Exemption from Prohibitions and Restrictions on Importations, etc.

7. The Organisation shall have 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 publication of the Organisation directly imported or exported by it.

Reduced Rates for Telegraphic Communications.

8. The Organisation shall have the right whenever there is in operation a Government telegraphic service, to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or dispatched from places outside the State), of any reduced rates applicable for the corresponding service in the case of press telegrams.

B. REPRESENTATIVES OF MEMBERS: THE PRESIDENT OF THE
CONFERENCE: MEMBERS OF THE EXECUTIVE BOARD OF THE
ORGANISATION

Immunity and Privileges.

9. (1) Except in so far as any privilege or immunity is waived, in the case of representatives of member Governments by the Governments whom they represent; in the case of the President of the Conference, by the Organisation; and in the case of members of the Executive Board, by the Executive Board of the Organisation; representatives of member Governments, the President of the Conference of the Organisation, and members of the Executive Board of the Organisation shall enjoy:

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives;
- (c) while exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage, and they shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the State during any period when they are present in the State whilst exercising their functions and during their journey to and from the place of meeting, and the provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the State.

(2) For the purpose of the application of this Order, the expression "representatives of member governments" shall be deemed to include their official staffs accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

C. HIGH OFFICIALS

Persons Entitled to Immunities and Privileges.

10. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, officers of the Organisation holding the offices of Secretary-General and Deputy Secretary-General shall be accorded in respect of themselves, their spouses and children under the age of eighteen the like immunity from suit and

legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, including exemption from income tax in respect of emoluments received by them as officers of the Organisation.

D. PERSONS EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANISATION

Immunities.

11. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, persons employed on missions on behalf of the Organisation shall enjoy

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the work of the Organisation;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions, and such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Organisation.

E. OTHER OFFICIALS OF THE ORGANISATION

Immunities and Privileges.

12. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, all officials of the Organisation (other than those referred to in section 10 above) shall enjoy

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties;
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation.

F. GENERAL

List of Persons Entitled to Immunities and Privileges.

13. The names of the persons to whom the provisions of sections 9 and 10 of this Order apply shall be set forth in a list compiled and published from time to time by the Minister under section 2(3) of the Act, and such list shall show in regard to each person the date as from which, for the purposes of this Order, he or she first held the office or employment in question, and the date when he or she ceased to hold that office or employment.

TENTH SCHEDULE

(Saved by section 19 of the Interpretation Act, Cap. 1.02)

DIPLOMATIC PRIVILEGES (UNIVERSAL POSTAL UNION) ORDER, 1955

Short title.

1. This Order may be cited as the Diplomatic Privileges (Universal Postal Union) Order.

A. THE ORGANISATION

Declaration.

2. The Universal Postal Union (hereinafter referred to as “the Union”) is an organisation of which the Crown and foreign sovereign Powers are members.

Body Corporate.

3. The Union shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process, and no waiver of immunity shall be deemed to extend to any measure of execution.

Inviolability of Archives.

4. The Union shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to the Crown.

Exemption from Taxes.

5. The Union shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

Exemption from Customs Duty.

6. The Union shall have exemption from taxes on the importation of goods directly imported by the Union for its official use in the State or for exportation, or on the importation of any publications of the Union directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs may prescribe for the protection of the revenue.

Exemption from Prohibitions and Restrictions on Importations etc.

7. The Union shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Union for its official use and in the case of any publications of the Union directly imported or exported by it.

Reduced Rates for Telegraphic Communications.

8. The Union shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places

outside the State), of any reduced rates applicable for the corresponding service in the case of press telegrams.

B. REPRESENTATIVES ON ORGANS OR COMMITTEES OF THE UNION

Immunity and Privileges.

9. (1) Except in so far as in any particular case any privilege or immunity is waived by the Government whom they represent, representatives of members at Congresses, on the Executive and Liaison Committee, at administrative conferences or on commissions provided for in the constitution of the Union, or on any committee of any of these bodies shall enjoy

- (a) while exercising their functions as such and during their journeys to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and things done or omitted to be done by them in their capacity as representatives.

(2) Where the incidence of any form of taxation depends upon residence, representatives shall not be deemed to be resident in the State during any period when they are present in the State for the discharge of their duties.

(3) For the purposes of the application of this section the expression “representatives” shall be deemed to include, in addition to the representatives, the following members of their official staffs accompanying them as such representatives:

- (a) Alternate representatives;
- (b) Advisers;
- (c) Technical experts; and
- (d) Secretaries of Delegations,

and Part IV of the Schedule to the Act shall not operate so as to confer privileges or immunities on the staffs of representatives other than on those persons falling within the abovementioned descriptions.

C. HIGH OFFICIALS OF THE UNION

The Director of the International Bureau.

10. Except in so far as in any particular case any privilege or immunity is waived by the Union, the Director of the International Bureau of the Union (including any officer acting for him or her during his or her absence from duty) shall be accorded, in respect of himself or herself, his or her spouse and his or her children under the age of eighteen, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes, other than income tax, as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, and exemption from income tax in respect of emoluments received by him or her as an officer of the Union.

D. OTHER OFFICIALS OF THE UNION

Immunities.

- 11.** Except in so far as in any particular case any privilege or immunity is waived by the Union, officials of the Union of any category specified by it shall enjoy
- (a) immunity from suit and legal process in respect of words spoken or written and things done or omitted to be done by them in the course of the performance of their official duties;
 - (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Union.

E. GENERAL

List of Persons Entitled to Immunities and Privileges.

12. The names of the persons to whom the provisions of sections 9, 10 and 11 of this Order apply shall be set forth in a list compiled and published from time to time by the Minister under section 2(3) of the Act, and such list shall show in regard to each person the date as from which, for the purposes of this Order, he or she first held the office or employment in question and the date when he or she ceased to hold that office or employment.

ELEVENTH SCHEDULE

(Saved by section 19 of the Interpretation Act, Cap. 1.02)

**DIPLOMATIC PRIVILEGES
(WORLD HEALTH ORGANISATION) ORDER****Short title.**

1. This Order may be cited as the Diplomatic Privileges (World Health Organisation) Order.

Interpretation.

2. (1) This Order shall have effect as if in section 10 references to representatives of member Governments included references to representatives of the Governments of Associate Members of the Organisation.

(2) For the purposes of this Order, the expression “representatives of the Governments of Associate Members of the Organisation” shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

A. THE ORGANISATION**Declaration.**

3. The World Health Organisation is an organisation of which the Crown and the Governments of foreign sovereign Powers are members.

Body Corporate.

4. The World Health Organisation shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process, and no waiver of immunity shall be deemed to extend to any measure of execution.

Inviolability of Official Archives, etc.

5. The World Health Organisation shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to the Crown.

Exemption from Taxes.

6. The World Health Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

Exemption from Customs Duty.

7. The World Health Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in the State or for exportation, or on the importation of any publications of the Organisation directly imported by it, such exemption to be subject to compliance with such

conditions as the Comptroller of Customs may prescribe for the protection of the revenue.

Exemption from Prohibitions and Restrictions on Importations, etc.

8. The World Health Organisation shall have 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.

Reduced Rates for Telegraphic Communications.

9. The World Health Organisation shall have the right whenever there is in operation a Government telegraphic service, to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broad-casting (including communications addressed to or despatched from places outside the State) of any reduced rates applicable for the corresponding service in the case of press telegrams.

B. REPRESENTATIVES OF MEMBERS AND OF THE EXECUTIVE BOARD OF THE WORLD HEALTH ORGANISATION

Immunity and Privileges.

10. (1) Except in so far as in any particular case any privilege or immunity is waived, in the case of representatives of member Governments, by the member Governments whom they represent, and in the case of persons designated to serve on the Executive Board of the World Health Organisation and their alternates and advisers, by the Executive Board, representatives of member Governments and persons designated to serve on the Executive Board of the Organisation and their alternates and advisers shall enjoy

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives;
- (c) while exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage, and they shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the State during any period when they are present in the State whilst exercising their functions or during their journey to and from the place of meeting, and the provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the State.

(2) For the purposes of the application of this Order, the expression "representatives of member governments" shall be deemed to include their official

staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

C. HIGH OFFICIALS

Persons Entitled to Immunities and Privileges.

11. Except in so far as in any particular case any privilege or immunity is waived by the World Health Organisation, officers of the Organisation holding the offices of Director-General or Deputy Director-General shall be accorded in respect of themselves, their spouses and children under eighteen years, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, and they shall also enjoy exemption from income tax in respect of emoluments received by them as officers of the World Health Organisation.

D. PERSONS SERVING ON COMMITTEES OF OR EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANISATION

Immunities.

12. Except in so far as in any particular case any privilege or immunity is waived by the World Health Organisation, persons (other than officials of the Organisation) serving on Committees of, or employed on missions on behalf of the Organisation shall enjoy

- (a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the work of the Organisation;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions, and such immunity shall continue notwithstanding that the person concerned is no longer employed on missions on behalf of the Organisation.

E. OTHER OFFICIALS OF THE ORGANISATION

Immunities and Privileges.

13. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, all officials of the World Health Organisation, (other than those referred to in section 11 above), shall enjoy

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties;
- (b) exemption from income tax in respect of emoluments received by them as officers and servants of the World Health Organisation.

F. GENERAL

List of Persons Entitled to Immunities and Privileges.

14. The names of the persons to whom the provisions of sections 10, 11, 12 and 13 of this Order apply shall be set forth in a list compiled and published from time to time by the Minister under section 2(3) of the Act, and such list shall show in regard to each person the date as from which, for the purposes of this Order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.

TWELVETH SCHEDULE

(Saved by section 19 of the Interpretation Act, Cap. 1.02)

**DIPLOMATIC PRIVILEGES
(WORLD METEOROLOGICAL ORGANISATION)
ORDER****Short title.**

1. This Order may be cited as the Diplomatic Privileges (World Meteorological Organisation) Order.

A. THE ORGANISATION

Declaration.

2. The World Meteorological Organisation (hereinafter referred to as the Organisation) is an Organisation of which the Crown and foreign sovereign Powers are members.

Body Corporate.

3. The Organisation shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process, and no waiver of immunity shall be deemed to extend to any measure of execution.

Inviolability of Archives.

4. The Organisation shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to the Crown.

Exemption from Taxes.

5. The Organisation shall have the like exemption of relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

Exemption from Customs Duty.

6. The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in the State or for exportation, or on the importation of any publications of the Organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs may prescribe for the protection of the revenue.

Exemption from Prohibitions and Restrictions on Importations etc.

7. The Organisation shall have 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.

Reduced Rates for Telegraphic Communications.

8. The Organisation shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the State), of any reduced rates applicable for the corresponding service in the case of press telegrams.

**B. REPRESENTATIVES ON ORGANS OR
COMMITTEES OF THE UNION****Immunity and Privileges.**

9. (1) Except in so far as in any particular case any privilege or immunity is waived by the Government whom they represent, representatives of members at the World Meteorological Congress, on the Executive Committee, at regional associations, on technical commissions, or on any committee of any of these bodies shall enjoy

- (a) while exercising their functions as such and during their journeys or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and things done or omitted to be done by them in their capacity as representatives.

(2) Where the incidence of any form of taxation depends upon residence, representatives shall not be deemed to be resident in the State during any period when they are present in the State for the discharge of their duties.

(3) For the purposes of the application of this section the expression "representatives" shall be deemed to include, in addition to the representatives, the following members of their official staffs accompanying them as such representatives:

- (a) Alternate representatives;
- (b) Advisers;
- (c) Technical experts; and
- (d) Secretaries of Delegations,

C. HIGH OFFICIALS OF THE ORGANISATION

The Secretary-General.

10. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, any officer of the Organisation holding the office of Secretary-General (including any officer acting for him or her during his or her absence from duty) shall be accorded in respect of himself or herself, his or her spouse and his or her children under the age of eighteen, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes, other than income tax, as is accorded to an envoy of a foreign sovereign Power accredited to the Crown, his or her spouse and children, and exemption from income tax in respect of emoluments received by him or her as an officer of the Organisation.

D. OTHER OFFICIALS OF THE ORGANISATION

Immunities.

11. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, officials of the Organisation of any category specified by it shall enjoy

- (a) immunity from suit and legal process in respect of words spoken or written and things done or omitted to be done by them in the course of the performance of their official duties;
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation.

E. GENERAL

List of Persons Entitled to Immunities and Privileges.

12. The names of the persons to whom the provisions of sections 9, 10 and 11 of this Order apply shall be set forth in a list compiled and published from time to time by the Minister under section 2(3) of the Act, and such list shall show in regard to each person the date as from which, for the purposes of this Order, he or she first held the office or employment in question and the date when he or she ceased to hold that office or employment.
