



# Consular Relations Act 1968

## 1968 CHAPTER 18

### 1 Application of Vienna Convention.

- (1) Subject to sections 2 and 3(2) of this Act, the provisions set out in Schedule 1 to this Act (being Articles or parts of Articles of the Vienna Convention on Consular Relations signed in 1963) shall have the force of law in the United Kingdom and shall for that purpose be construed in accordance with subsections (2) to (11) of this section.
- (2) In those provisions—
  - “authorities of the receiving State” shall be construed as including any constable and any person exercising a power of entry to any premises under any enactment (including any enactment of the Parliament of Northern Ireland);
  - “grave crime” shall be construed as meaning any offence punishable (on a first conviction) with imprisonment for a term that may extend to five years or with a more severe sentence;
  - “Ministry for Foreign Affairs” shall be construed as meaning the Department of the Secretary of State concerned;
  - “national of the receiving State” shall be construed [<sup>F1</sup>as meaning—
    - (a) a British citizen, a British Dependent Territories citizen [<sup>F2</sup>, a British National (Overseas)] or a British Overseas citizen; or
    - (b) a person who under the British Nationality Act 1981 is a British subject; or
    - (c) a British protected person (within the meaning of that Act).]
- (3) The reference in paragraph 2 of Article 17 to any privileges and immunities accorded by customary international law or by international agreements shall be construed as a reference to any privileges and immunities conferred under the <sup>M1</sup>International Organisations (Immunities and Privileges) Act 1950 [<sup>F3</sup>or the <sup>M2</sup>International Organisations Act 1968].
- (4) The references in Article 44 to matters connected with the exercise of the functions of members of a consular post shall be construed as references to matters connected with the exercise of consular functions by consular officers or consular employees.

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*Status: Point in time view as at 01/01/1993. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Consular Relations Act 1968, Section 1. (See end of Document for details)*

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- (5) For the purposes of Article 45 and that Article as applied by Article 58 a waiver shall be deemed to have been expressed by a State if it has been expressed by the head, or any person for the time being performing the functions of head, of the diplomatic mission of that State or, if there is no such mission, of the consular post concerned.
- (6) The exemption granted by Article 48 with respect to any services shall be deemed to except those services from any class of employment [<sup>F4</sup>in respect of which contributions or premiums are payable under the enactments relating to . . . <sup>F5</sup> social security, including enactments in force in Northern Ireland, but not so as to render any person liable to any contribution or premium] which he would not be required to pay if those services were not so excepted.
- (7) Article 48 shall not affect any agreement made between the United Kingdom and any other State before the commencement of this Act and shall not be taken to prevent the making of any such agreement after the commencement of this Act.
- (8) Articles 50, 51, 52, 54, 62 and 67 shall be construed as granting any privilege or immunity which they require to be granted.
- [<sup>F6</sup>(8A) The references in Articles 50 and 62 to customs duties shall be construed as including references to excise duties chargeable on goods imported into the United Kingdom [<sup>F7</sup>and to value added tax charged in accordance with section 2A or 2B of the Value Added Tax Act 1983 (acquisitions from other member States and importations from outside the European Community)].]
- (9) The reference in Article 57 to the privileges and immunities provided in Chapter II shall be construed as referring to those provided in Section II of that Chapter.
- (10) The reference in Article 70 to the rules of international law concerning diplomatic relations shall be construed as a reference to the provisions of the <sup>M3</sup>Diplomatic Privileges Act 1964.
- (11) The references in Article 71 to additional privileges and immunities that may be granted by the receiving State or to privileges and immunities so far as these are granted by the receiving State shall be construed as referring to such privileges and immunities as may be specified by Her Majesty by Order in Council.

#### Textual Amendments

- F1** Words substituted by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(6), **Sch. 7**
- F2** Words inserted by [S.I. 1986/948, art. 8, Sch.](#)
- F3** Words inserted by [International Organisations Act 1968 \(c. 48\)](#), s. **12(2)**
- F4** Words substituted (*prosp. as to words "or premiums" and "or premium"*) by [Social Security Act 1973 \(c. 38\)](#), **Sch. 27 para. 78**, S.I. 1974/164, art. 2(1), Sch. 1 and 1974/823, art. 2(4)(a)(b)(iii), Sch.
- F5** Words repealed by [Social Security \(Consequential Provisions\) Act 1975 \(c. 18\)](#), **Sch. 1 Pt. I**
- F6** S. 1(8A) inserted by [Customs and Excise Management Act 1979 \(c. 2, SIF 40:1\)](#), s. 177(1), **Sch. 4 para. 6**
- F7** Words in s. 1(8A) inserted (1.1.1993) by [Finance \(No. 2\) Act 1992 \(c. 48\)](#), s. 14(2), **Sch. 3 Pt. III para. 89(1)**; S.I. 1992/3261, **art.3**.

#### Marginal Citations

- M1** 1950 c. 14.
- M2** 1968 c. 48.
- M3** 1964 c. 81.

**Status:**

Point in time view as at 01/01/1993. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Consular Relations Act 1968, Section 1.