
STATUTORY INSTRUMENTS

1974 No. 1252

**The Central Treaty Organization
(Immunities and Privileges) Order 1974**

PART III

REPRESENTATIVES

Principal Permanent Representatives

14.—(1) Except in so far as in any particular case any privilege or immunity is waived by the State which he represents, any person designated by a Contracting State as its principal permanent representative to the Organization in the United Kingdom shall enjoy:—

- (a) the like immunity from suit and legal process, the like inviolability of residence, and the like exemption or relief from taxes, other than customs duties and taxes on the importation of goods, and rates as are accorded to or in respect of the head of a diplomatic mission;
- (b) the like exemption from customs duties and taxes on the importation of articles imported for his personal use or the use of members of his family forming part of his household, including articles intended for his establishment, as in accordance with paragraph 1 of Article 36 of the 1961 Convention Articles is accorded to a diplomatic agent;
- (c) the like exemption and privileges in respect of his personal baggage as in accordance with paragraph 2 of Article 36 of the 1961 Convention Articles are accorded to a diplomatic agent;
- (d) relief, under arrangements made by the Commissioners of Customs and Excise, by way of refund of customs duty paid on any hydrocarbon oil (within the meaning of the Hydrocarbon Oil (Customs & Excise) Act 1971) which is bought in the United Kingdom by him or on his behalf, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements; and
- (e) exemptions whereby, for the purposes of the enactments relating to national insurance and social security, including enactments in force in Northern Ireland,—
 - (i) services rendered by him for the Organization shall be deemed to be excepted from any class of employment in respect of which contributions or premiums under those enactments are payable, but
 - (ii) no person shall be rendered liable to pay any contribution or premiums which he would not be required to pay if those services were not deemed to be so excepted;

provided that until the day appointed for the coming into force of section 2 of the Social Security Act 1973 the following shall apply in substitution for the foregoing provisions of this sub-paragraph—

“exemptions whereby for the purposes of the National Insurance Acts 1965 to 1973, the National Insurance (Industrial Injuries) Acts 1965 to 1973, any enactment for the time being in force amending any of those Acts, and any enactment of the Parliament of

Northern Ireland corresponding to any of those Acts or to any enactment amending any of those Acts,—

- (i) services rendered by him for the Organisation shall be deemed to be excepted from any class of employment which is insurable employment, or in respect of which contributions are required to be paid, but
- (ii) no person shall be rendered liable to pay any contribution which he would not be required to pay if those services were not deemed to be so excepted.”.

(2) Part IV of Schedule 1 to the Act shall not operate so as to confer any privilege or immunity on the family or the official staff of a principal permanent representative except on such members of his official staff resident in the United Kingdom as may be agreed between the United Kingdom and the Organization.

(3) Neither this Article nor Part IV of Schedule 1 to the Act shall operate so as to confer any privilege or immunity on any person as the principal permanent representative of the United Kingdom or on any person who is a citizen of the United Kingdom and Colonies.

Representatives

15.—(1) Except in so far as in any particular case any privilege or immunity is waived by the State which he represents, any representative of a Contracting State to the Council of the Organization or to any committee or other subsidiary body of the Organization (other than a representative to whom Article 14 applies) shall, while present in the United Kingdom for the discharge of his duties, enjoy:—

- (a) immunity from suit and legal process in respect of things done or omitted to be done by him in his official capacity;
- (b) the like immunity from personal arrest or detention and from seizure of his personal baggage and the like inviolability for all papers and documents as are accorded to a diplomatic agent;
- (c) the like exemptions and privileges in respect of his personal baggage as in accordance with Article 36 of the 1961 Convention Articles are accorded to a diplomatic agent;
- (d) the like exemption from customs duties and taxes on the importation of articles which—
 - (i) at or about the time when he first enters the United Kingdom to take up his post as a representative are imported for his personal use or that of members of his family forming part of his household, including articles intended for his establishment, and
 - (ii) are articles which were in his ownership or possession or that of such a member of his family, or which he or such a member of his family was under contract to purchase, immediately before he so entered the United Kingdom,

as in accordance with paragraph 1 of Article 36 of the 1961 Convention Articles is accorded to a diplomatic agent.

(2) Where the incidence of any form of taxation depends upon residence, a representative shall not be deemed to be resident in the United Kingdom during any period when he is present in the United Kingdom for the discharge of his duties.

(3) Part IV of Schedule 1 to the Act shall not operate so as to confer any privilege or immunity on:—

- (a) the official staff of representatives, other than alternate representatives, advisers, technical experts and official clerical staff, and that Part shall not operate so as to confer on official clerical staff any immunity from personal arrest or detention or any exemptions or privileges in respect of their personal baggage, or
- (b) the family of a representative or of a member of the official staff of a representative.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more***

(4) Neither this Article nor Part IV of Schedule 1 to the Act shall operate so as to confer any privilege or immunity on any person as the representative of the United Kingdom or on any person who is a citizen of the United Kingdom and Colonies.