

## 1982 No. 709

## INTERNATIONAL IMMUNITIES AND PRIVILEGES

**The Inter-Governmental Maritime Consultative Organisation  
(Immunities and Privileges) (Amendment) Order 1982***Laid before Parliament in draft**Made - - - - 18th May 1982**Coming into Operation 19th May 1982*

At the Court at Buckingham Palace, the 18th day of May 1982

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been laid before Parliament in accordance with section 10(1) of the International Organisations Act 1968(a) (hereinafter referred to as the Act) and has been approved by resolution of each House of Parliament:

Now, therefore, Her Majesty, by virtue and in exercise of the powers conferred on Her by section 1 of the Act or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Inter-Governmental Maritime Consultative Organisation (Immunities and Privileges) (Amendment) Order 1982. It shall come into operation on the day after the day on which it is made.

2. The Inter-Governmental Maritime Consultative Organisation (Immunities and Privileges) Order 1968(b) shall be amended by inserting after Article 10 the following new Article:

“10A.—(1) Except in so far as in any particular case any privilege or immunity is waived by the Government of the member whom he represents, every person designated by a member of the Organisation as its principal permanent representative to the Organisation in the United Kingdom shall enjoy for the term of his business with the Organisation:—

- (a) in respect of words spoken or written and all acts done or omitted to be done by him in his official capacity, the like immunity from suit and legal process, even after the termination of his functions, as is accorded to the head of a diplomatic mission;
- (b) the like immunity from personal arrest or detention and the like inviolability for all his papers and documents as is accorded to the head of a diplomatic mission;

(a) 1968 c. 48.

(b) S.I. 1968/1862, to which there are amendments not relevant to this Order.

- (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) the like exemption or relief from taxes and rates, other than duties (whether of customs or excise) and taxes on the importation of goods, as are accorded to or in respect of a diplomatic agent;
- (e) the like exemption from duties (whether of customs or excise) and taxes on the importation of articles imported for his personal use or for that 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;
- (f) relief, under arrangements made by the Commissioners of Customs and Excise, by way of refund of duty (whether of customs or excise) paid on imported hydrocarbon oil (within the meaning of the Hydrocarbon Oil Duties Act 1979(c)) or value added tax paid on the importation of such oil which is bought in the United Kingdom by him or on his behalf for his personal use or for that of members of his family forming part of his household, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements; and
- (g) exemptions whereby, for purposes of the enactments relating to social security, including enactments in force in Northern Ireland—
  - (i) services rendered by him for the Organisation 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 premium which he would not be required to pay if those services were not deemed to be so excepted,
 provided that sub-paragraphs (d) to (g) of this paragraph shall not apply to any person who is a permanent resident of the United Kingdom, and sub-paragraphs (a) to (c) shall apply to any such person only while he is exercising his official functions.

(2) Part IV of Schedule 1 to the Act shall not operate so as to confer any privilege or immunity on the official staff of a principal permanent representative other than members of his staff of diplomatic status resident in the United Kingdom.

(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 as a member of the staff of such a representative, or on any person who is a citizen of the United Kingdom and Colonies.

(4) Part IV of Schedule 1 to the Act shall not operate so as to confer any privilege or immunity on the family of a principal permanent representative or of members of his official staff.”

*N. E. Leigh,*  
Clerk of the Privy Council.

EXPLANATORY NOTE  
*(This Note is not part of the Order.)*

This Order adds a new Article to the Inter-Governmental Maritime Consultative Organisation (Immunities and Privileges) Order 1968 to provide privileges and immunities for the principal permanent representatives of members of the Organisation in the United Kingdom and members of their staff of diplomatic status resident in the United Kingdom. The privileges and immunities are conferred in accordance with an Exchange of Notes between Her Majesty's Government and the Inter-Governmental Maritime Consultative Organisation signed on 20th January 1982 (Cmnd. 8495) which amends the Agreement regarding the Headquarters of the Organisation signed in London on 28th November 1968 (Cmnd. 3964). This Order will enable Her Majesty's Government to give effect to the Exchange of Notes.

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