

EXPLANATORY MEMORANDUM TO
THE G7 PRESIDENCY (IMMUNITIES AND PRIVILEGES) ORDER 2021

2021 No. 521

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Foreign, Commonwealth and Development Office and is laid before Parliament by Command of Her Majesty.
- 1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Purpose of the instrument

- 2.1 This instrument confers certain privileges and immunities upon the representatives of sovereign Powers (other than the United Kingdom) attending the G7 Summit and G7 ministerial meetings to be held in England in accordance with the United Kingdom's G7 Presidency until 31st December 2021.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments.

- 3.1 There are two underlying reasons that have resulted in the SI not fully complying with the 21 day rule. Firstly, agreement was only recently reached that attendees at all G7 ministerial meetings would be granted privileges and immunities (P&Is), rather than solely the G7 Summit on 11-13 June 2021. However, in order to confer privileges and immunities on representatives attending the G7 Foreign and Development ministers' meeting, hosted by The Rt Hon Dominic Raab, Secretary of State for the Foreign, Commonwealth and Development Office, taking place from 3rd May, this instrument will need to come into force on 30th April.. Secondly, due to the Covid-19 pandemic, there has been uncertainty whether or not this meeting would take place virtually or in person. It has only recently been confirmed that this meeting will proceed in person, requiring the necessary P&Is to be in place, hence the need for the SI to come into force earlier than planned. If the instrument did not come into force before the 3rd May meeting then certain senior officials, including Development ministers, at the Foreign and Development ministers' meeting would not be granted P&Is.

Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)

- 3.2 As the instrument is subject to negative resolution procedure, there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

4. Extent and Territorial Application

- 4.1 The territorial application of this instrument is England and Wales.

5. European Convention on Human Rights

- 5.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation no statement is required.

6. Legislative Context

- 6.1 This instrument is made under section 6 of the International Organisations Act 1968, which allows certain privileges and immunities to be conferred on representatives of sovereign Powers attending conferences held in the United Kingdom. The Order is subject to annulment in pursuance of a resolution of either House of Parliament.

7. Policy background

What is being done and why?

- 7.1 This instrument confers certain privileges and immunities on representatives of sovereign powers attending the G7 Leader's Summit and associated Ministerial meetings who have been notified to, and accepted by, the Secretary of State as holding Ministerial or other high official rank. Such Ministers and high officials will be afforded the like immunity from suit and legal process, including immunity from personal arrest or detention, and the like inviolability of personal baggage as accorded to the head of a diplomatic mission while exercising their functions as representatives and except in cases of road traffic accidents. This instrument is without prejudice to any privilege or immunity to which such persons are otherwise entitled.

8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union

- 8.1 This instrument does not relate to withdrawal from the European Union.

9. Consolidation

- 9.1 Not applicable

10. Consultation outcome

- 10.1 No external consultation was undertaken as the instrument does not legislate in respect of devolved matters nor impact on business, charities, voluntary bodies or the public sector.

11. Guidance

- 11.1 No guidance will be published

12. Impact

- 12.1 There is no, or no significant, impact on business, charities or voluntary bodies.
12.2 There is no, or no significant, impact on the public sector.
12.3 An Impact Assessment has not been prepared for this instrument because we expect it to have no impact on the private or voluntary sectors.

13. Regulating small business

- 13.1 The legislation does not apply to activities that are undertaken by small businesses.

14. Monitoring & review

- 14.1 This instrument is time limited. Monitoring of the implementation of this instrument is not intended
- 14.2 The instrument does not include a statutory review clause.

15. Contact

- 15.1 Cheryl Eedes at the Foreign, Commonwealth and Development Office (Telephone: 07596 890322 or email: Cheryl.Eedes@fcdo.gov.uk.) can be contacted with any queries regarding the instrument.
- 15.2 Victoria Busby, Director for Protocol Directorate at the Foreign, Commonwealth and Development Office can confirm that this Explanatory Memorandum meets the required standard.
- 15.3 Nigel Adams, Minister of State at the Foreign Commonwealth and Development Office can confirm that this Explanatory Memorandum meets the required standard.