

No. 555.

THE DIPLOMATIC PRIVILEGES (EXTENSION) LAW.
CAP. 202 AND LAW II OF 1953.

ORDER IN COUNCIL No. 2792

MADE UNDER SECTION 2.

In exercise of the powers vested in him by section 2 of the Diplomatic Privileges (Extension) Law (hereinafter referred to as "the Law"), His Excellency the Governor, with the advice of the Executive Council, has been pleased to order as follows :—

Cap. 202
11 of 1953.

1. This Order may be cited as the Diplomatic Privileges (Universal Postal Union) Order, 1955.

A.—THE ORGANISATION.

2. The Universal Postal Union (hereinafter referred to as "the Union") is an organisation of which Her Majesty's Government in the United Kingdom and Governments of foreign sovereign Powers are members.

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.

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 Her Majesty.

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.

6. The Union shall have exemption from taxes on the importation of goods directly imported by the Union for its official use in the Colony 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 and Excise may prescribe for the protection of the Revenue.

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.

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

B.—REPRESENTATIVES, OTHER THAN REPRESENTATIVES OF HER MAJESTY'S
GOVERNMENT IN THE UNITED KINGDOM, ON ORGANS
OR COMMITTEES OF THE UNION.

9.—(i) Except in so far as in any particular case any privilege or immunity is waived by the Governments 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.

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

(iii) For the purposes of the application of this Article 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 :—

Alternate representatives,
Advisers,
Technical experts,
Secretaries of Delegations,

and Part IV of the Schedule to the Law 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.

(iv) The provisions in the preceding paragraphs of this Article shall not confer any immunity or privilege on any person as the representative of Her Majesty's Government in the United Kingdom or as a member of the staff of such representative or on any person who is a citizen of the United Kingdom and Colonies.

C.—HIGH OFFICIALS OF THE UNION.

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 during his absence from duty) shall be accorded, in respect of himself, his spouse and his children under the age of twenty-one, 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 Her Majesty, his spouse and children, and exemption from income tax in respect of emoluments received by him as an officer of the Union.

D.—OTHER OFFICIALS OF THE UNION.

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.

12. The names of the persons to whom the provisions of Articles 9 and 10 of this Order apply shall be set forth in a list compiled and published from time to time by the Governor under section 2 (3) of the Law, 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.

13. This Order shall be deemed to have come into operation on the 17th day of December, 1954.

Ordered this 19th day of September, 1955.

By Command of His Excellency the Governor,

(M.P. 668/46/2).

G. P. CASSELS,
Clerk of the Executive Council.