

THE OFFICIAL GAZETTE — 7th JUNE, 1972
LEGAL SUPPLEMENT — B

GUYANA

No. 48 of 1972

ORDER

MADE UNDER

THE PRIVILEGES AND IMMUNITIES (DIPLOMATIC,
CONSULAR, AND INTERNATIONAL ORGANISATIONS)
ACT, 1970.

(No. 26 of 1970)

UNDER SECTION 13 OF THE PRIVILEGES AND IMMUNI-
TIES (DIPLOMATIC, CONSULAR, AND INTER-
NATIONAL ORGANISATIONS) ACT, 1970, I HEREBY
MAKE THE FOLLOWING ORDER:—

1. This Order may be cited as the Privileges and Im- Citation,
munities (Caribbean Free Trade Association) Order. 1972.

2. The Caribbean Free Trade Association (hereinafter The Associa-
in this Order referred to as "the Association") is hereby declared tion to be
to be an Organisation of which Guyana and other sovereign an organisa-
Powers are members and is hereby specified as an organisation tion for the
to which section 13 of the Act applies. purposes of
section 13 of
the Act.

3. (1) The Association shall have the legal capacities of Privileges
a body corporate. and immu-
nities of the
Association.

(2) Except in so far as the Association has in any
particular case waived its immunity, the Association shall have
the privileges and immunities set out in Part I of the fifth schedule
to the Act, and a waiver of immunity from jurisdiction in proceed-
ings shall not imply a waiver of immunity from execution.

Privileges
and immu-
nities of re-
presentatives
of Member
Territories.

4. (1) Except in so far as in any particular case any privilege or immunity is waived, in the case of representatives of Member Territories to the Council of the Association, by the Member Territories which they represent, representatives of Member Territories to the Council of the Association shall enjoy while present in Guyana for the discharge of their duties the privileges and immunities set out in Part II of the fifth schedule to the Act.

(2) For the purposes of the application of this Order, "representatives" include alternate delegates, advisers, technical experts and secretaries of delegations.

(3) Paragraph (1) shall not confer any immunity or privilege upon any person as the representative of the Government of Guyana or as a member of the staff of such a representative, or any person who is a citizen of Guyana and who is not the representative of a Government other than the Government of Guyana or a member of the staff of and accompanying any such representative.

Privileges
and immu-
nities of the
Secretary-
General of
the Secretar-
iat of the
Association.

5. Except in so far as in any particular case any privilege or immunity is waived by the Council of the Association, the Secretary-General of the Secretariat of the Association (hereinafter referred to as "the Secretary-General") shall be accorded in respect of himself, and the members of his family forming part of his household, the privileges and immunities set out in Part II of the fifth schedule to the Act.

Privileges
and immu-
nities of
other offici-
als of the
Association.

6. Except in so far as in any particular case any privilege or immunity is waived by the Secretary-General, other officials of the Association shall enjoy —

- a) while exercising their functions as such in Guyana, immunity from personal arrest or detention:

Provided that the immunity conferred by this paragraph shall not be enjoyed by officials of the Association who are citizens of Guyana;
- b) the privileges and immunities set out in Part III of the fifth schedule to the Act, and the immu-

ity mentioned in paragraph 1 of the said Part III shall continue notwithstanding that the persons concerned have ceased to be officials of the Association;

- c) exemption from customs duties on articles imported for their official or personal use:

Provided that the exemption conferred by this paragraph shall apply only to those senior officials of the Association designated by the Secretary-General and approved by the Minister for the purpose.

7. Except in so far as in any particular case any privilege or immunity is waived by the Secretary-General acting on behalf of the Association, persons (other than officials of the Association) who are employed on missions on behalf of the Association shall enjoy while present in Guyana for the discharge of their duties, the privileges and immunities set out in Part 11 of the fifth schedule to the Act, and the immunity from legal process in respect of acts done or omitted to be done by them in the course of the performance of their official duties shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Association:

Privileges and immunities of persons employed as experts on missions on behalf of the Association.

Provided that no such person who is a citizen of Guyana shall enjoy immunity from personal arrest or detention.

Made this 5th day of June, 1972.

L. F. S. BURNHAM,
Prime Minister.

EXPLANATORY NOTE

(This Note is not part of the Order but is intended to indicate its general purport).

This Order makes provision for some of the privileges and immunities to be accorded to the Caribbean Free Trade Association (CARIFTA) in Guyana, Members of the Council of the Association, officials of the Association and persons engaged on missions for the Association.