

CHAPTER 350.**DIPLOMATIC PRIVILEGES (EXTENSION).****ARRANGEMENT OF SECTIONS.****SECTION.**

1. Short title.
2. Application.
3. Privileges, immunities and capacities of certain international organisations and their staffs.
4. Provisions as to orders.
5. Application to United Nations.
6. Reciprocal treatment.

SCHEDULE.**CHAPTER 350.****DIPLOMATIC PRIVILEGES (EXTENSION).**

40 of 1947.

An Ordinance to make provision as to the immunities and capacities of international organisations of which Her Majesty's Government in the United Kingdom and foreign Governments are members; and to confer immunities and privileges on the staffs of such organisations and representatives of member Governments and in respect of premises and documents of such organisations.

[31ST DECEMBER, 1947.]

Short title.

1. This Ordinance may be cited as the Diplomatic Privileges (Extension) Ordinance.

Application.

2. This Ordinance shall apply to any organisation declared by the Governor in Council, by order published in the Gazette, to be an organisation of which Her Majesty's Government in the United Kingdom and the government or governments of one or more foreign sovereign Powers are members.

Privileges,
immunities
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Schedule.

3. (1) The Governor in Council may, by order published in the Gazette,—

(a) provide that any organisation to which this Ordinance applies (hereinafter referred to as "the organisation") shall, to such extent as may be specified in the order, have the immunities and privileges set out in Part I of the schedule to

this Ordinance, and shall also have all the legal capacities of a body corporate;

(b) confer upon such number of officers of the organisation as may be specified in the order, being the holders of such high offices in the organisation as may be specified in the order, and upon such persons employed on missions on behalf of the organisation as may be so specified, and upon any person who is the representative of a member government on the governing body or any committee of the organisation, to such extent as may be so specified, the immunities and privileges set out in Part II of the schedule to this Ordinance;

Schedule.

(c) confer upon such other classes of officers and servants of the organisation as may be specified in the order, to such extent as may be specified, the immunities and privileges set out in Part III of the schedule to this Ordinance;

Schedule.

and Part IV of the schedule to this Ordinance shall have effect for the purpose of extending to the staffs of representatives of member governments and to the families of officers of the organisation any immunities and privileges conferred on the representatives or officers under paragraph (b) of this subsection, except in so far as the operation of the said Part IV is excluded by the order conferring the immunities and privileges.

Schedule.

(2) Where immunities and privileges are conferred on any person by an order made under the last foregoing subsection, the Governor—

(a) shall compile a list of the persons entitled to immunities and privileges conferred under paragraph (b) of that subsection, and may compile a list of the persons entitled to privileges conferred under paragraph (c) of that subsection;

(b) shall cause any list compiled under this subsection to be published in the Gazette; and

(c) whenever any person ceases or begins to be entitled to the immunities and privileges to which any such list relates, shall amend the list and cause a notice of the amendment, or, if he thinks fit, an amended list, to be published as aforesaid.

(3) Every list or notice published under the last foregoing subsection shall state the date from which the list or amendment takes or took effect; and the fact that any person is or was included or not included at any time among the persons entitled to the immunities and privileges in question may, if a list of those persons has been so published, be conclusively proved by producing the Gazette containing the list, or, as the case may be, the last list taking effect before that time, together with the

Gazette (if any) containing notices of the amendments taking effect before that time, and by showing that the name of that person is or was at that time included or not included in the said list.

Provisions
as to orders.

4. (1) Any order made under this Ordinance shall be laid before the Legislative Council at the next meeting thereof after the making of such order, and if within twenty-one days after the order is so laid a resolution is passed by the Legislative Council that the order or any part thereof, be annulled, it shall thereby be annulled to the extent set forth in the resolution and the order, or part thereof, so annulled shall thenceforth become void and of no effect but without prejudice to the validity of any action in the meantime taken under the order, or part thereof as the case may be, or to the making of a new order.

(2) Any order made under this Ordinance may be varied or revoked by subsequent order made in like manner.

Application
to United
Nations.

5. In the application of this Ordinance to the United Nations any reference to the governing body or any committee of the organisation shall be construed as referring to the General Assembly or any council or other organ of the United Nations.

Reciprocal
treatment.

6. Nothing in the foregoing provisions of this Ordinance shall be construed as precluding the Governor in Council from declining to accord immunities or privileges to, or from withdrawing immunities or privileges from, nationals or representatives of any Power on the ground that that Power is failing to accord corresponding immunities or privileges to British nationals or representatives.

s. 3.

SCHEDULE.

PART I.—IMMUNITIES AND PRIVILEGES OF THE ORGANISATION.

1. Immunity from suit and legal process.
2. The like inviolability of official archives and premises occupied as offices as is accorded in respect of the official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.
3. 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.
4. Exemption from taxes on the importation of goods directly imported by the organisation for its official use in the Colony or for exportation, or on the importation of any publications of the organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Comptroller of Customs may from time to time prescribe for the protection of the revenue.

5. Exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the organisation for its official use and in the case of any publications of the organisation directly imported or exported by it.

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

PART II.—IMMUNITIES AND PRIVILEGES OF HIGH OFFICERS, PERSONS OR MISSIONS AND GOVERNMENT REPRESENTATIVES.

1. The like immunity from suit and legal process as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty.

2. The like inviolability of residence as is accorded to such an envoy.

3. The like exemption or relief from taxes as is accorded to members of the permanent consular services of foreign countries.

PART III.—IMMUNITIES AND PRIVILEGES OF OTHER OFFICERS AND SERVANTS.

1. Immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties.

2. Exemption from income tax in respect of emoluments received as an officer or servant of the organisation.

PART IV.—IMMUNITIES AND PRIVILEGES OF REPRESENTATIVE'S STAFF AND OF HIGH OFFICER'S FAMILY.

1. Where any person is entitled to any such immunities and privileges as are mentioned in Part II of this schedule as the representative of a member government, his official staff accompanying him as such a representative shall also be entitled to those immunities and privileges to the same extent as the retinue of an envoy of a foreign sovereign Power accredited to Her Majesty is entitled to the immunities and privileges accorded to the envoy.

2. Where any person is entitled to any such immunities and privileges as are mentioned in Part II of this schedule as an officer of the organisation, that person's wife or husband and children under the age of twenty-one shall also be entitled to those immunities and privileges to the same extent as the wife or husband and children of an envoy of a foreign sovereign Power accredited to Her Majesty are entitled to the immunities and privileges accorded to the envoy.
