STATUTORY INSTRUMENTS

2009 No. 1741

INTERNATIONAL IMMUNITIES AND PRIVILEGES

The Commonwealth Countries and Ireland (Immunities and Privileges) (Amendment) Order 2009

Made - - - -	*8th July 2009*
Laid before Parliament	*15th July 2009*
Coming into force - -	*7th August 2009*

At the Court at Buckingham Palace, the 8th day of July 2009

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 12(1) of the Consular Relations Act 1968(**a**), is pleased, by and with the advice of Her Privy Council, to order, and it is ordered, as follows:

Citation and commencement and application

1. This Order may be cited as the Commonwealth Countries and Ireland (Immunities and Privileges) (Amendment) Order 2009 and shall come into force on 7th August 2009. The Order applies to England.

2. Article 9 of the Commonwealth Countries and Republic of Ireland (Immunities and Privileges) Order 1985(**b**) is revoked and replaced by the following article—

> "**9.** The like relief from non-domestic rates as is accorded under Article 32 in Schedule 1 to the Act to consular premises shall be extended to the offices of the Falklands Islands Government Representative in London, of the Cayman Islands Government Representative in London, of the Gibraltar Government Representative in London, of the Turks and Caicos Islands Government Representative in London, of the British Virgin Islands Representative in London and of the Bermuda Government Representative in London."

3. Schedule 1 to Article 3(a) of the Commonwealth Countries and Republic of Ireland (Immunities and Privileges) Order 1985(**b**) is revoked and replaced by the following Schedule—

(**a**) 1968 c. 18. Section 12 was substituted by the Diplomatic and other Privileges Act 1971 (c. 64), Section 4 and the Schedule.
(**b**) S.I. 1985/1983, amended by S.I. 2005/246, 2006/309.

"SCHEDULE 1

Article 3a

Offices

Nauru

The Representative in the United Kingdom, London

Republic of Ireland

The Trade Inspector, Liverpool

Classes of Office

Trade Commissioners and Assistant Trade Commissioners for any independent country within the Commonwealth

Migration Officers for the Commonwealth of Australia

Assistant High Commissioners for Bangladesh

Assistant High Commissioners and Assistant Commissioners for India

Agents General for the States of Australia

Agents General for the Provinces of Canada

The Head of the Falkland Islands Government Representative in London

The Head of the Cayman Islands Government Representative in London

The Head of the Gibraltar Government Representative in London

The Head of the Turks and Caicos Islands Government Representative in London

The Head of the British Virgin Islands Government Representative in London

The Head of the Bermuda Government Representative in London."

Judith Simpson
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces Article 9 and Schedule 1 to Article 3(a) to the Commonwealth Countries and Republic of Ireland (Immunities and Privileges) Order 1985.

Section 12(1) of the Consular Relations Act 1968 allows Her Majesty to make an Order in Council to extend privileges and immunities to representatives of Commonwealth governments.

Article 2 of this Order replaces Article 9 of the 1985 Order with a new Article 9. New Article 9 will enable partial relief from non-domestic rates to be given to the offices of the Falkland Islands Government Representative in London, the Cayman Islands Government Representative in London, the Gibraltar Government Representative in London, the Turks and Caicos Islands Government Representative in London, the British Virgin Islands Government Representative in London and the Bermuda Government Representative in London. These offices perform functions broadly in line with those of a consular post of a foreign country. As a new office, Bermuda will benefit from tax relief for the first time.

Article 3 of this Order replaces Schedule 1 to Article 3(a) of the 1985 Order with a new Schedule 1. New Schedule 1 lists categories of persons whose main residences will be entitled to exemption from liability for council tax as they fall under Class V(2)(e) of the Council Tax (Exempt Dwellings) Order 1992 (SI 1992 No 558) which exempts from payment of council tax the main residence of persons who benefit from consular immunity, if they satisfy the conditions specified.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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