STATUTORY INSTRUMENTS

1961 No. 1194

DIPLOMATIC AND INTERNATIONAL IMMUNITIES AND PRIVILEGES

The Commonwealth Countries and Republic of Ireland (Immunities) Order, 1961

Made - - - -	*26th June*, 1961
Laid before Parliament	*30th June*, 1961
Coming into Operation	*1st July*, 1961

At the Court at Buckingham Palace, the 26th day of June, 1961

Present,

The Queen's Most Excellent Majesty in Council

Whereas it appears to Her Majesty that the offices and classes of offices specified in Parts I and III of the Schedule to this Order are offices and classes of offices which involve the performance of duties substantially corresponding to those which, in the case of a foreign sovereign Power, would be performed by a consular officer:

And whereas the person for the time being holding an office specified in Part II of the Schedule to this Order is recognised by Her Majesty's Government in the United Kingdom as the chief representative of a state or province of a country to which section 1 of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952(a) applies:

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by subsection (2) of section 1 of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952, and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Commonwealth Countries and Republic of Ireland (Immunities) Order, 1961.

(2) This Order shall come into operation on the 1st day of July, 1961.

(3) The Interpretation Act, 1889(b), shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Immunity from suit and legal process and inviolability of archives

2. The like immunity from suit and legal process and the like inviolability of official archives as are accorded to consular officers of a foreign sovereign Power are hereby conferred on the person for the time being holding any of the offices or classes of offices described in the Schedule to this Order provided that,—

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 18. (b) 52 & 53 Vict. c. 63.

(*a*) in the case of offices or classes of offices described in Part I of the said schedule, the person is in the service of the Government of a country to which section 1 of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952, applies, and

(*b*) in the case of offices or classes of offices described in Part III of the said schedule, the person is a member of the staff of a state representative referred to in Part II of the said schedule.

Official premises

3. The provisions of subsection (1) of section 4 of the Consular Conventions Act, 1949(a) (which restricts powers of entry in relation to consular offices), shall apply, in relation to the official premises of the persons for the time being holding any of the offices or classes of offices described in the Schedule to this Order, as if those persons were consular officers.

Revocation

4. The Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Order in Council, 1952(b), the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) (Amendment) Order in Council, 1958(c), and the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) (Amendment) Order in Council, 1959(d), are hereby revoked.

W. G. Agnew.

THE SCHEDULE

PART I

Offices

Australia

The Interviewing and Selection Officer, Glasgow.

India

The Seamen's Welfare Officer and Assistant Commissioner, Glasgow.
The Assistant Seamen's Welfare Officer, Glasgow.
The Seamen's Welfare Officer and Assistant Commissioner, Liverpool.
The Assistant Seamen's Welfare Officer, Liverpool.
The Assistant Commissioner, Birmingham.

Pakistan

The Seamen's Welfare Officer, Glasgow.
The Seamen's Welfare Officer, Liverpool.
The Seamen's Welfare Officer, Birmingham.

The Republic of Ireland

The Trade Inspector, Liverpool.

Class of Office

Trade Commissioner for any of the countries to which section 1 of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952 applies.

PART II

The Agents General for the States of Australia.
The Agents General for the Regions of Nigeria.

PART III

Offices

The Assistant Trade Commissioner for South Australia.

Class of Office

Official Secretaries to the Agents General for the States of Australia.
Official Secretaries to the Agents General for the Regions of Nigeria.

(a) 12, 13 & 14 Geo. 6. c. 29.
(b) S.I. 1952/1219 (1952 I, p. 807).
(c) S.I. 1958/769 (1958 I, p. 953).
(d) S.I. 1959/1976 (1959 I, p. 971).

EXPLANATORY NOTE

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

This Order consolidates the Orders specified in Article 4, with additions to the schedule relating to Nigeria. It confers on persons for the time being holding any of the offices or classes of offices described in the Schedule to the Order the like immunity from suit and legal process and the like inviolability of official archives as are accorded to consular officers of a foreign sovereign Power, and restricts powers of entry into the official premises of such persons.