STATUTORY INSTRUMENTS

1962 No. 1316

COMMONWEALTH IMMIGRANTS

EXEMPTION

The Commonwealth Immigrants (Control of Immigration) Exemption Order 1962

Made - - - -	*25th June* 1962
Laid before Parliament	*29th June* 1962
Coming into Operation	*1st July* 1962

In exercise of the powers conferred on me by section 17 (3) of the Commonwealth Immigrants Act 1962(**a**) I hereby make the following Order:—

1. The following persons shall be exempt from control under Part I of the Commonwealth Immigrants Act 1962, that is to say—

(*a*) any member of the government of any country or territory within the Commonwealth or of the Republic of Ireland who is visiting the United Kingdom on the business of that government;

(*b*) any person entitled to immunity from legal process with respect to acts performed by him in his official capacity under any Order in Council made under section 3 (1) of the Bretton Woods Agreements Act 1945(**b**) (which empowers Her Majesty by Order in Council to make provisions relating to the immunities and privileges of the governors, executive directors, alternates, officers and employees of the International Monetary Fund and the International Bank for Reconstruction and Development);

(*c*) any person upon whom immunity from suit and legal process in respect of things done or omitted to be done in the course of his duties is conferred by any Order in Council made under section 1 (2) of the International Organisations (Immunities and Privileges) Act 1950(**c**) (which empowers Her Majesty by Order in Council to confer upon certain representatives, officers, servants and other persons of or connected with certain international organisations of which the United Kingdom or Her Majesty's government therein is a member certain immunities and privileges) or by any Order in Council which, by virtue of section 7 (2) of that Act, has effect as if made under that Act;

(*d*) any person on whom immunity is conferred by an Order in Council made under section 1 (2) of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952(**d**) (which empowers Her Majesty by Order in Council to confer on certain persons connected with the service of the government of certain Commonwealth countries or the Republic of Ireland the like immunity from suit and legal process as is accorded to consular officers of foreign sovereign Powers);

(*e*) any person who, though being a member of the official or domestic staff of the chief representative of any such Commonwealth country as aforesaid, or of the said Republic, is a citizen of the United Kingdom and Colonies and not a citizen of that country, and is accordingly,

(a) 10 & 11 Eliz. 2. c. 21. (b) 9 & 10 Geo. 6. c. 19.
(c) 14 Geo. 6. c. 14. (d) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 18.

under the proviso to subsection (1) of the said section, not entitled, except in respect of anything done or omitted to be done in the course of the performance of his duties, to the like immunity from suit and legal process as is conferred by the said subsection on, amongst others, members of such an official or domestic staff;

(*f*) any person entitled to immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of his official duties under section 1 (2) of the European Coal and Steel Community Act 1955(**a**) (which subsection entitles members of the official staff of the chief representative in the United Kingdom of the High Authority of the European Coal and Steel Community and certain other persons connected with that Authority to such immunity);

(*g*) any person entitled to immunity from legal process with respect to acts performed by him in his official capacity under any Order in Council made under section 3 (1) of the International Finance Corporation Act 1955(**b**) (which empowers Her Majesty by Order in Council to make provision relating to the immunities and privileges of the governors, directors, alternates, officers and employees of the International Finance Corporation);

(*h*) any person entitled to immunity from legal process with respect to acts performed by him in his official capacity under any Order in Council made under section 3 (1) of the International Development Association Act 1960(**c**) (which empowers Her Majesty by Order in Council to make provision relating to the immunities and privileges of the governors, directors, alternates, officers and employees of the International Development Association);

(*i*) any person who, though being a member of the official staff of the representative of the government of a country to which section 1 of the Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961(**d**) applies, is a citizen of the United Kingdom and Colonies and not a citizen of that country, and is accordingly, under subsection (4) of the said section, not entitled, except in respect of anything done or omitted to be done in the course of the performance of his duties, to the like immunities as are conferred by the said section on the representatives of certain Commonwealth Countries and the Republic of Ireland attending a conference in the United Kingdom; and

(*j*) the wife and any minor child of a person exempted under paragraphs (*b*) to (*i*) of this Article.

2. The Interpretation Act 1889(**e**) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

3. This Order may be cited as the Commonwealth Immigrants (Control of Immigration) Exemption Order 1962 and shall come into operation on 1st July 1962.

R. A. Butler,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
25th June 1962.

(a) 4 & 5 Eliz. 2. c. 4. (b) 4 & 5 Eliz. 2. c. 5. (c) 8 & 9 Eliz. 2. c. 35.
(d) 9 & 10 Eliz. 2. c. 11. (e) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

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

By section 17 (1) of the Commonwealth Immigrants Act 1962, persons who are entitled to immunity from suit and legal process, not being immunity in respect only of things done or omitted to be done in the course of their duties, are exempt from control under Part I of the Act respecting immigration into the United Kingdom. By this Order, made under section 17 (3) of the Act, members of the governments of Commonwealth countries and territories and of the Republic of Ireland visiting the United Kingdom on the business of their government (paragraph (*a*) of Article 1) and persons who are entitled to immunity from suit and legal process only in respect of things done or omitted to be done in the course of their duties (paragraphs (*b*) to (*i*) of that Article) are also exempted from such control. By paragraph (*j*) of that Article wives and minor children of persons exempted under paragraphs (*b*) to (*i*) are themselves exempted.