in relation to the official premises of such persons the Consular Conventions Act, 1949, s. 4 (1), which restricts powers of entry in relation to consular offices.

The Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Order in Council, 1952, specified in Part I of its Schedule, the officers on whom those immunities were conferred and applied s. 4 (1) of the 1949 Act to their official premises.

The purpose of this Order is to amend that Order by altering the description in Part I of the Schedule of one officer in the service of the Government of India, and by adding to that Part the description of another officer in the service of the same government.

1959 No. 1296

The Inter-governmental Maritime Consultative Organisation (Immunities and Privileges) Order, 1959

Laid before Parliament in draft
Made - - - - 28*th July*, 1959
Coming into Operation 4*th November*, 1959

ARRANGEMENT OF ORDER

PART I. The Organisation.
PART II. Representatives.
PART III. Officers.
PART IV. Experts.
PART V. General.

At the Court of Saint James, the 28th day of July, 1959

Present,

Her Majesty Queen Elizabeth The Queen Mother
Her Royal Highness The Princess Alexandra of Kent

Lord President — **Mr. Brooke**
Earl of Selkirk — **Mr. Aubrey Jones**

Whereas Her Majesty, in pursuance of the Regency Acts, 1937 to 1953, was pleased, by Letters Patent dated the fifteenth day of June, 1959, to delegate to the following Counsellors of State (subject to the exceptions hereinafter mentioned) or any two or more of them, that is to say, His Royal Highness Prince Philip, Duke of Edinburgh, Her Majesty Queen Elizabeth The Queen Mother, Her Royal Highness The Princess Margaret, His Royal Highness The Duke of Gloucester, His Royal Highness The Duke of Kent and Her Royal Highness The Princess Alexandra of Kent, full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

And Whereas Her Majesty was further pleased to except from the number of the said Counsellors of State His Royal Highness Prince Philip, Duke of Edinburgh, and His Royal Highness The Duke of Kent and Her Royal Highness The Princess Alexandra of Kent while absent from the United Kingdom:

And Whereas a draft of this Order has been laid before Parliament in accordance with section six of the International Organisations (Immunities and Privileges) Act, 1950(a), (hereinafter referred to as the Act), and an address has been presented by each House of Parliament praying that an Order may be made in the terms of the said draft:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Alexandra of Kent, being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by the Act or otherwise in Her Majesty vested, do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf order, and it is hereby ordered, as follows:—

Part I

The Organisation

1. The Inter-governmental Maritime Consultative Organisation (hereinafter referred to as the Organisation) is an Organisation of which the United Kingdom and foreign sovereign Powers are members.

2. The Organisation shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.

3. The Organisation shall have 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.

4. The Organisation shall have 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.

5. The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in the United Kingdom 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 Commissioners of Customs and Excise may prescribe for the protection of the Revenue.

6. The Organisation shall have 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.

7. The Organisation shall have 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 the United Kingdom), of any reduced rates applicable for the corresponding service in the case of press telegrams.

(a) 14 Geo. 6. c. 14.

PART II

REPRESENTATIVES

8.—(i) Except in so far as in any particular case any privilege or immunity is waived by the Government of the member whom they represent, representatives of members of the Organisation on any of its organs at meetings convened by it shall enjoy:—

(*a*) In respect of words spoken or written and all acts done by them in their official capacity, the like immunity from suit and legal process as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty;

(*b*) While exercising their functions and during their journeys to and from the place of meeting, the like immunity from personal arrest or detention and from seizure of their personal baggage and the like inviolability for all papers and documents as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty.

(ii) Where the incidence of any form of taxation depends upon residence, any period during which representatives of members of the Organisation on any of its organs at meetings convened by it are present in the United Kingdom for the exercise of their functions shall, for the purpose of determining their liability to taxation, be treated as not being a period of residence in the United Kingdom.

(iii) Part IV of the Schedule to the Act shall not operate so as to confer any immunity or privilege on the official staff of representatives of members of the Organisation other than alternates, advisers, technical experts and secretaries of delegations.

(iv) Neither the provisions of the preceding paragraphs of this Article nor those of Part IV of the Schedule to the Act shall operate so as to confer any immunity or privilege on any person as the representative of Her Majesty's Government in the United Kingdom or as a member of the official staff of such a representative or on any person who is a citizen of the United Kingdom and Colonies.

PART III

OFFICERS

High Officers

9. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, the Secretary-General of the Organisation and the Secretary of the Maritime Safety Committee shall be accorded the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes, other than income tax, as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, and exemption from income tax in respect of emoluments received by them as officers of the Organisation; provided that, so long as the Headquarters of the Organisation are located in the territory of the United Kingdom or Colonies, the provisions of this Article shall not apply to any person who is a citizen of the United Kingdom and Colonies.

Other Officers

10. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, all officers of the Organisation with the

exception of those who are recruited locally and assigned to hourly rates shall enjoy:—

(*a*) Immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties;

(*b*) Exemption from income tax in respect of emoluments received by them as officers of the Organisation.

Part IV

Experts

11.—(i) Except in so far as in any particular case any privilege or immunity is waived by the Organisation, experts (other than officers of the Organisation) who are members of any committee of the Organisation or who are employed on missions on behalf of the Organisation shall, so far as is necessary for the effective exercise of their functions, enjoy:—

(*a*) In respect of words spoken or written and all acts done by them in their official capacity, the like immunity from suit and legal process as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty;

(*b*) While exercising their functions and during their journeys in connexion with service on such committees or missions, the like immunity from personal arrest or detention and from seizure of their personal baggage and the like inviolability for all papers and documents relating to the work on which they are engaged for the Organisation as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty.

(ii) Part IV of the Schedule to the Act shall not operate so as to confer any immunity or privilege on the official staff of experts to whom the provisions of paragraph (i) of this Article apply.

Part V

General

Interpretation

12. The Interpretation Act, 1889, shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament, and as if this Order and the Order hereby revoked were Acts of Parliament.

Revocation

13. The International Organisations (Immunities and Privileges of the Inter-governmental Maritime Consultative Organisation) Order, 1955(a), is hereby revoked.

Citation and Entry into Force

14. This Order may be cited as the Inter-governmental Maritime Consultative Organisation (Immunities and Privileges) Order, 1959. It shall come into operation on the date on which the Convention on the Privileges and Immunities of the Specialised Agencies enters into force for the United Kingdom in respect of the Organisation. This date shall be notified in the London Gazette.

W. G. Agnew.

(a) S.I. 1955/1207 (1955 I, p. 667).

EXPLANATORY NOTE

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

This Order revokes, and re-enacts with amendments, the International Organisations (Privileges and Immunities of the Inter-governmental Maritime Consultative Organisation) Order, 1955, and confers privileges and immunities upon the Inter-governmental Maritime Consultative Organisation, its officers, representatives on its organs, and experts who are employed on missions on behalf of the Organisation or who are members of its Committees. These privileges and immunities are conferred in accordance with the Convention on the Privileges and Immunities of the Specialised Agencies (Cmd. 7673), as modified, in relation to the Organisation, by Annex XII to that Convention. This Annex was approved by the Assembly of the Organisation on January 16, 1959, and was transmitted to the Secretary-General of the United Nations on February 12, 1959, in accordance with Section 36 of the Convention on the Privileges and Immunities of the Specialised Agencies: the making of this Order will enable Her Majesty's Government to accede to that Convention in respect of the Organisation.

TABLE OF COMPARISON BETWEEN THE ARTICLES OF THE DRAFT ORDER, THE SECTIONS OF THE CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE SPECIALISED AGENCIES AND ANNEX XII TO THAT CONVENTION

Draft Order in Council	*Convention and Annex*
Article 2	Sections 3 and 4.
Article 3	Sections 5 and 6.
Article 4	Section 9 (*a*).
Article 5	Section 9 (*b*).
Article 6	Section 9 (*b*) and (*c*).
Article 7	Section 11.
Article 8 (i)	Sections 13 and 16.
Article 8 (i) (*a*)	Sections 13 (*a*) and 14.
Article 8 (i) (*b*)	Section 13 (*a*) and (*b*).
Article 8 (ii)	Section 15.
Article 8 (iii)	Sections 1 (V) and 13.
Article 8 (iv)	Section 17.
Article 9	Sections 19 (*b*), 21 and 22. Annex, Section 1.
Article 10	Sections 18, 19 (*a*) and (*b*), and 21.
Article 11	Annex, Section 2 (*a*) and (*b*).
Article 11 (*a*)	Annex, Section 2 (*a*) (ii).
Article 11 (*b*)	Annex, Section 2 (*a*) (i) and (iv).