

The Diplomatic Privileges (International Refugee Organisation)

B.R.O.N. 9/50.

Order

(Made under section 2 of the Enactment.)

[31st January, 1950.]

INDEX

1.	Citation	333
2.	Organisation is one of which the United Kingdom and other foreign sovereign Powers are members	333
3.	Organisation to be a body corporate	333
4.	Organisation to have same inviolability as envoy of accredited foreign sovereign Power	333
5.	Organisation to have same exemption and relief from taxes and rates as foreign sovereign Power	334
6.	Organisation to have exemption from customs duties on goods imported for its official use and on its official publications	334
7.	Organisation to have exemption from restrictions on import or export in case of goods required for its official use and in case of its official publications	334
8.	Organisation may send telegrams at press rates	334
9.	Privileges and immunities of member governments to the Council of the Organisation	334
10.	Privileges and immunities of high officials of the Organisation	335
11.	Privileges and immunities of persons employed on missions on behalf of the Organisation	335
12.	Privileges and immunities of other officials of the Organisation	336
13.	List of officials, etc., of the Organisation to be compiled and published	336

1. This order may be cited as the Diplomatic Privileges (International Refugee Organisation) Order. Citation.

THE ORGANISATION

2. The International Refugee Organisation (hereinafter referred to as "the Organisation") is an organisation of which Her Britannic Majesty's Government in the United Kingdom and the governments of foreign sovereign Powers are members. Organisation is one of which the United Kingdom and other foreign sovereign Powers are members.

3. The Organisation shall have the legal capacity 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. Organisation to be a body corporate.

4. The Organisation shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Britannic Majesty. Organisation to have same inviolability as envoy of accredited foreign sovereign Power.

Organisation to have same exemption and relief from taxes and rates as foreign sovereign Power.

5. 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.

Organisation to have exemption from customs duties on goods imported for its official use and on its official publications.

6. The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in the State 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 Controller of Customs may prescribe for the protection of the revenue.

Organisation to have exemption from restrictions on import or export in case of goods required for its official use and in case of its official publications.

7. 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.

Organisation may send telegrams at press rates.

8. 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 State), of any reduced rates applicable for the corresponding service in the case of press telegrams.

REPRESENTATIVES OF MEMBERS

Privileges and immunities of member governments to the Council of the Organisation.

9.—(1) Except in so far as in any particular case any privilege or immunity is waived by the member governments whom they represent, representatives of member governments to the Council of the Organisation shall enjoy—

(a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;

(b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives; and

(c) while exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Britannic Majesty, save

that the relief allowed, shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage. They shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in the State during any period when they are present in the State while exercising their functions and during their journey to and from the place of meeting.

The provisions of this paragraph shall not apply to British subjects whose usual place of abode is in the State.

(2) For the purposes of the application of this order, the expression "representatives of member governments" shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

(3) The provisions of the preceding paragraphs of this article shall not confer any immunity or privilege upon any person as the representative of Her Britannic Majesty's Government in the State or as a member of the staff of such a representative, or any person who is a British subject and who is not the representative of a Government of Her Britannic Majesty other than Her Britannic Majesty's Government in the State or the member of the staff of and accompanying any such representative.

HIGH OFFICIALS OF THE ORGANISATION

10. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, the Director-General or the Deputy Director-General of the Organisation shall be accorded in respect of themselves, their spouses and children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to an envoy of a foreign sovereign Power accredited to Her Britannic Majesty, his spouse or children, including exemption from income tax in respect of emoluments received by them as officers of the Organisation.

Privileges and immunities of high officials of the Organisation.

PERSONS EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANISATION

11. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, persons employed on missions on behalf of the Organisation shall enjoy—

Privileges and immunities of persons employed on missions on behalf of the Organisation.

(a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents relating to the work of the Organisation; and

(b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions. Such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Organisation.

OTHER OFFICIALS OF THE ORGANISATION.

Privileges and immunities of other officials of the Organisation.

12 Except in so far as in any particular case any privilege or immunity is waived by the Organisation, officials of the Organisation (other than those referred to in article 10, and officials engaged locally and remunerated by payment calculated on the number of hours worked) 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; and

(b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation.

GENERAL

List of officials, etc., of the Organisation to be compiled and published.

13. The names of the persons to whom the provisions of articles 9 and 10 apply shall be set forth in a list compiled and published from time to time by the Resident under subsection (3) of section 2 of the Diplomatic Privileges (Extension) Enactment, and such list shall show in regard to each person the date as from which, for the purposes of this order, he first held the office or employment in question, and the date when he ceased to hold that office or employment.