## 1954 No. 1467

# The International Organisations (Immunities and Privileges of the International Telecommunication Union) Order, 1954

*Made - - - - 4th November,* 1954
*Coming into Operation (On a date to be notified in the London Gazette)**

At the Court at Buckingham Palace, the 4th day of November, 1954

Present,

The Queen's Most Excellent Majesty in Council

Whereas by Section 1 of the International Organisations (Immunities and Privileges) Act, 1950(a), (hereinafter referred to as the Act) it is enacted:

That the provisions of this Section shall apply to any organisation declared by Order in Council to be an organisation of which the United Kingdom (or Her Majesty's Government therein) and one or more foreign sovereign Powers (or the Government or Governments thereof) are members;

That Her Majesty may, by Order in Council, provide that any organisation to which this Section applies shall, to such extent as may be specified in the Order, have the immunities and privileges set out in Part I of the Schedule to the Act and shall have the legal capacities of a body corporate;

That Her Majesty may, by Order in Council, confer on the representatives (whether of Governments or not) on any organ of the organisation and upon officers and servants of the organisation, the immunities and privileges set forth in Parts II and III of the said Schedule to the extent specified in the Order; and

That Part IV of the Schedule to the Act shall have effect for the purpose of extending to the staffs of representatives and to the families of certain high officers of the organisation any immunities and privileges conferred on the representatives or officers, except in so far as the operation of the said Part IV is excluded by the Order conferring privileges and immunities;

And Whereas the International Telecommunication Union, on the sixteenth day of January, 1951, deposited with the Secretary-General of the United Nations a notification that it accepted the standard clauses of the Convention on Privileges and Immunities for the Specialised Agencies of the United Nations except that it did not claim for itself the enjoyment of privileged treatment with regard to the facilities in respect of communications provided in Article IV, Section 11, and the said Convention thereupon became applicable to the Union in accordance with Section 37 thereof:

And Whereas Her Majesty's Government in the United Kingdom desire to undertake to apply the provisions of the said Convention to the International Telecommunication Union in accordance with Section 43 thereof;

And Whereas a draft of this Order has been laid before Parliament in accordance with the provisions of Section 6 of the Act and an address has been presented to Her Majesty by each House of Parliament praying that an Order be made in the terms of the said draft;

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(a) 14 Geo. 6. c. 14.
* 17th December, 1954.

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf conferred on Her by the Act or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

## A.—The Organisation

**1.** The International Telecommunication Union (hereinafter referred to as the Union) is an organisation of which the United Kingdom and foreign sovereign Powers are members.

**2.** The Union 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 Union 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 Majesty.

**4.** The Union 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 Union shall have exemption from taxes on the importation of goods directly imported by the Union for its official use in the United Kingdom or for exportation, or on the importation of any publications of the Union 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 Union shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Union for its official use and in the case of any publications of the Union directly imported or exported by it.

## B.—Representatives, other than Representatives of Her Majesty's Government in the United Kingdom, on Organs or Committees of the Union.

**7.**—(i) Except in so far as in any particular case any privilege or immunity is waived by the Governments whom they represent, representatives of member Governments at plenipotentiary and administrative conferences, on the administrative council, on consultative committees or on any committee of any of these bodies shall enjoy:—

(*a*) While exercising their functions as such and during their journeys 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 things done or omitted to be done by them in their capacity as representatives.

(ii) Where the incidence of any form of taxation depends upon residence, representatives shall not be deemed to be resident in the United Kingdom during any period when they are present in the United Kingdom for the discharge of their duties.

(iii) For the purposes of the application of this Article the expression "representatives" shall be deemed to include, in addition to the representatives, the following members of their official staffs accompanying them as such representatives:—

Alternate representatives,
Advisers,
Technical experts,
Secretaries of Delegations,

and Part IV of the Schedule to the Act shall not operate so as to confer privileges or immunities on the staffs of representatives other than on those persons falling within the above-mentioned descriptions.

(iv) The provisions of the preceding paragraphs of this Article shall not 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 staff of such representative or on any person who is a citizen of the United Kingdom and Colonies.

C.—HIGH OFFICIALS OF THE UNION

**8.** Except in so far as in any particular case any privilege or immunity is waived by the Union, any officer of the Union holding the office of Secretary-General (including any officer acting for him during his absence from duty) shall be accorded in respect of himself, his spouse and his 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, other than income tax, as is accorded to an envoy of a foreign sovereign Power accredited to Her Majesty, his spouse and children, and exemption from income tax in respect of emoluments received by him as an officer of the Union.

D.—OTHER OFFICIALS OF THE UNION

**9.** Except in so far as in any particular case any privilege or immunity is waived by the Union, officials of the Union of any category specified by it shall enjoy:—

(*a*) immunity from suit and legal process in respect of words spoken or written and things done or omitted to be 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 or servants of the Union.

E.—GENERAL

**10.** The names of the persons to whom the provisions of Articles 7 and 8 of this Order apply shall be set forth in a list compiled and published from time to time by the Secretary of State under Section 2 (1) of the Act, 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.

**11.** This Order may be cited as the International Organisations (Immunities and Privileges of the International Telecommunication Union) Order, 1954. It shall come into force on the date on which the said Convention enters into force for the United Kingdom in respect of the Union. This date shall be notified in the London Gazette*. And the Right Honourable Sir Anthony Eden, Her Majesty's Principal Secretary of State for Foreign Affairs, is to give the necessary directions herein.

*W. G. Agnew*

* 17th December, 1954.

EXPLANATORY NOTE

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

This Order provides immunities and privileges required by the International Convention on the Privileges and Immunities of the Specialised Agencies (Cmd. 7673) to be accorded in connexion with the International Telecommunication Union, and will enable Her Majesty's Government in the United Kingdom to undertake to apply the provisions of that Convention to the Union.

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A TABLE OF COMPARISON BETWEEN THE ARTICLES OF THE ORDER AND THE SECTIONS OF THE CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE SPECIALISED AGENCIES.

| *Order in Council* | *Convention* |
|---|---|
| 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 (i) (*a*) ... ... ... ... | Section 13 (*a*) and (*b*). |
| Article 7 (i) (*b*) ... ... ... ... | Sections 13 (*a*) and 14. |
| Article 7 (ii) ... ... ... ... ... | Section 15. |
| Article 7 (iii) ... ... ... ... ... | Section 1 (v) |
| Article 7 (iv) ... ... ... ... ... | Section 17. |
| Article 8 ... ... ... ... ... | Sections 19 (*b*) and 21. |
| Article 9 ... ... ... ... ... | Sections 18 and 19. |

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## 1954 No. 1471

# The International Organisations (Immunities and Privileges of the North Atlantic Treaty Organisation) Order, 1954

*Made - - - - 4th November, 1954*
*Coming into Operation (On a date to be notified in the London Gazette)**

At the Court at Buckingham Palace, the 4th day of November, 1954

Present,

The Queen's Most Excellent Majesty in Council

Whereas by Section 1 of the International Organisations (Immunities and Privileges) Act, 1950(a), (hereinafter referred to as the Act) it is enacted:

That the provisions of this Section shall apply to any organisation declared by Order in Council to be an organisation of which the United Kingdom (or Her Majesty's Government therein) and one or more foreign sovereign Powers (or the Government or Governments thereof) are members;

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(a) 14 Geo. 6. c. 14.
* 10th December, 1954.