STATUTORY INSTRUMENTS

1964 No. 2043

DIPLOMATIC AND INTERNATIONAL IMMUNITIES AND PRIVILEGES

The Diplomatic Privileges (Citizens of the United Kingdom and Colonies) Order 1964

Laid before Parliament in draft
Made - - - - 22*nd December* 1964
Coming into Operation 22*nd December* 1964

At the Court at Buckingham Palace, the 22nd day of December 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty in exercise of the powers conferred on Her by section 2(6) of the Diplomatic Privileges Act 1964(**a**), 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 and Interpretation

1.—(1) This Order may be cited as the Diplomatic Privileges (Citizens of the United Kingdom and Colonies) Order 1964.

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

Privileges of Citizens of the United Kingdom and Colonies

2.—(1) The reference in Article 38 of Schedule 1 to the Diplomatic Privileges Act 1964 to the extent to which privileges and immunities are admitted by the receiving State and to additional privileges and immunities that may be granted by the receiving State shall, in relation to a person who is a member of the mission of a country to which this Article applies or is a private servant of such a member and in either case is a citizen of that country and also of the United Kingdom and Colonies, be construed as a reference to the privileges and immunities to which that person would be entitled under the said Act if he were not a citizen of the United Kingdom and Colonies.

(2) This Article applies to Canada, Australia, New Zealand, India, Pakistan, Ceylon, Ghana, Malaysia, Cyprus, Nigeria, Sierra Leone, United Republic of Tanzania, Jamaica, Trinidad and Tobago, Uganda, Kenya, Malawi, Zambia and Malta, to Southern Rhodesia and to the Republic of Ireland.

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W. G. Agnew.

(a) 1964 c. 81.

(b) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

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

Article 38 of the Vienna Convention on Diplomatic Relations, set out in Schedule 1 to the Diplomatic Privileges Act 1964, provides for the privileges and immunities of persons who are members of diplomatic missions or the private servants of such members and who are, in either case, nationals of the receiving State. In accordance with section 2(2) of the Act " national of the receiving State " is construed as meaning citizen of the United Kingdom and Colonies. Section 2(6) of the Act gives power to Her Majesty by Order in Council to specify the extent to which privileges and immunities or additional privileges and immunities are to be accorded to such persons. The present Order provides that members of the diplomatic mission of a Commonwealth country and of the Republic of Ireland and their private servants shall be entitled, if they are citizens of that Commonwealth country or of the Republic of Ireland, as the case may be, and also citizens of the United Kingdom and Colonies, to the privileges and immunities to which they would have been entitled under the Act if they had not been citizens of the United Kingdom and Colonies.