

*Extract from:*

# UNITED NATIONS JURIDICAL YEARBOOK

1969

Part One. Legal status of the United Nations and related inter-governmental organizations

Chapter I. Legislative texts concerning the legal status of the United Nations and related inter-governmental organizations



Copyright (c) United Nations

## CONTENTS

	<i>Page</i>
FOREWORD . . . . .	xxv
ABBREVIATIONS . . . . .	xxvi

### Part One. Legal status of the United Nations and related inter-governmental organizations

#### CHAPTER I. LEGISLATIVE TEXTS CONCERNING THE LEGAL STATUS OF THE UNITED NATIONS AND RELATED INTER-GOVERNMENTAL ORGANIZATIONS

##### 1. *Canada*

- (a) FAO Technical Conference on Fish Inspection and Quality Control Privileges and Immunities Order, 1969 . . . . . 3
- (b) FAO Technical Conference on Fish Inspection and Quality Control Privileges and Immunities Order 1969, amended . . . . . 4

##### 2. *New Zealand*

- (a) An Act to Consolidate and Amend the Law relating to Diplomatic Privileges and Immunities and to Give Effect to the Vienna Convention on Diplomatic Relations . . . . . 4
- (b) The Diplomatic Privileges (IMCO) Order 1960, Amendment No. 2 . . . . . 11

##### 3. *Sierra Leone*

- The Diplomatic Privileges (International Monetary Fund) Order, 1968 . . . . . 11

#### CHAPTER II. TREATY PROVISIONS CONCERNING THE LEGAL STATUS OF THE UNITED NATIONS AND RELATED INTER-GOVERNMENTAL ORGANIZATIONS

##### A. TREATY PROVISIONS CONCERNING THE LEGAL STATUS OF THE UNITED NATIONS

- 1. *Convention on the Privileges and Immunities of the United Nations. Approved by the General Assembly of the United Nations on 13 February 1946 . . . . . 15*
- 2. *Agreements relating to meetings and installations*
  - Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations. Signed at Lake Success on 26 June 1947 . . . . . 15
  - Second Supplemental Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations. Signed at New York on 28 August 1969 . . . . . 15

## Chapter I

### LEGISLATIVE TEXTS CONCERNING THE LEGAL STATUS OF THE UNITED NATIONS AND RELATED INTER-GOVERNMENTAL ORGANIZATIONS

#### 1. Canada

(a) FAO TECHNICAL CONFERENCE ON FISH INSPECTION AND QUALITY CONTROL PRIVILEGES AND IMMUNITIES ORDER, 1969<sup>1</sup>

His Excellency the Governor General in Council, on the recommendation of the Secretary of State for External Affairs with the concurrence of the Minister of Finance and the Minister of Fisheries, pursuant to section 3 of the Privileges and Immunities (International Organizations) Act,<sup>2</sup> is pleased hereby to make the annexed Order respecting the Privileges and Immunities in Canada of the Technical Conference on Fish Inspection, and Quality Control of the Food and Agriculture Organization of the United Nations.

ORDER RESPECTING THE PRIVILEGES AND IMMUNITIES IN CANADA OF THE TECHNICAL CONFERENCE ON FISH INSPECTION AND QUALITY CONTROL OF THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

1. This Order may be cited as the *FAO Technical Conference on Fish Inspection and Quality Control Privileges and Immunities Order, 1969*.

2. In this Order

(a) "Conference" means the Technical Conference on Fish Inspection and Quality Control of the United Nations Food and Agriculture Organization; and

(b) "Convention" means the Convention on the Privileges and Immunities of the United Nations.<sup>3</sup>

3. During the period July 1 to July 31, 1969,

(a) The Conference shall have in Canada the legal capacities of a body corporate and shall, to such extent as it may require, have the privileges and immunities set forth in Articles II and III of the Convention for the United Nations;

(b) Representatives of States and Governments that are members of the Conference shall, to such extent as may be required for the performance of their functions, have the privileges and immunities set forth in Article IV of the Convention for representatives of members;

---

<sup>1</sup> P.C. 1968-1125. Dated 12 June 1968.

<sup>2</sup> See *Juridical Yearbook*, 1965, p. 3.

<sup>3</sup> United Nations, *Treaty Series*, vol. 1, p. 15.

(c) All officials of the Conference in Canada shall, to such extent as may be required for the performance of their functions, have the privileges and immunities set forth in Article V of the Convention for officials of the United Nations; and

(d) All experts performing missions for the Conference in Canada shall, to such extent as may be required for the performance of their functions, have the privileges and immunities set forth in Article VI of the Convention for experts on missions for the United Nations.

4. Nothing in this Order exempts a Canadian citizen residing or ordinarily resident in Canada from liability for any taxes or duties imposed by any law in Canada.

---

(b) **FAO TECHNICAL CONFERENCE ON FISH INSPECTION AND QUALITY CONTROL PRIVILEGES AND IMMUNITIES ORDER, 1969, AMENDED**<sup>4</sup>

His Excellency the Governor General in Council, on the recommendation of the Secretary of State for External Affairs with the concurrence of the Minister of Fisheries, pursuant to section 3 of the Privileges and Immunities (International Organizations) Act,<sup>5</sup> is pleased hereby to amend the FAO Technical Conference on Fish Inspection and Quality Control Privileges and Immunities Order 1969 made by Order in Council P.C. 1968-1125 of 12th June, 1968,<sup>6</sup> in accordance with the Schedule hereto.

**Schedule**

1. All that portion of section 3 of the *FAO Technical Conference on Fish Inspection and Quality Control Privileges and Immunities Order, 1969* preceding paragraph (a) thereof is revoked and the following substituted therefore:

“3. During the period July 1 to August 31, 1969,”

---

**2. New Zealand**

(a) **AN ACT**<sup>7</sup> **TO CONSOLIDATE AND AMEND THE LAW RELATING TO DIPLOMATIC PRIVILEGES AND IMMUNITIES AND TO GIVE EFFECT TO THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS**

[25 November 1968]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. *Short Title and commencement*—(1) This Act may be cited as the Diplomatic Privileges and Immunities Act 1968.

(2) This Act shall come into force on the first day of January, nineteen hundred and sixty-nine.

2. *Meaning of “Minister”*—In this Act, unless the context otherwise requires, the term “Minister” means the Minister of External Affairs.

---

<sup>4</sup> P.C. 1968-2107. Dated 19 November 1968.

<sup>5</sup> See *Juridical Yearbook*, 1965, p. 3.

<sup>6</sup> Reproduced under (a) above.

<sup>7</sup> No. 36 of 1968.

## PART I

### DIPLOMATIC PRIVILEGES AND IMMUNITIES

3. *Interpretation*—In this Part of this Act, unless the context otherwise requires,—  
“The Convention” means the Vienna Convention on Diplomatic Relations signed in 1961, a copy of the English text of which is set out in the First Schedule to this Act:

“Mission” means a diplomatic mission of any State:

Expressions defined in Article 1 of the Convention have the meanings so defined.

4. *Application of this Part*—The provisions of this Part of this Act shall, with respect to the matters dealt with therein, have effect in substitution for any previous enactment or rule of law in force in New Zealand immediately before the commencement of this Act.

5. *Diplomatic privileges and immunities*—(1) Subject to subsection (6) of this section, the provisions of Articles 1, 22 to 24, and 27 to 40 of the Convention shall have the force of law in New Zealand.

(2) Without prejudice to the provisions of subsection (1) of this section, the Minister, with the concurrence of the Minister of Finance, may from time to time determine, either generally or in any case or class of case, the fiscal privileges which shall be accorded to any mission or persons connected with any mission, notwithstanding that the determination may extend treatment more favourable than that required by the provisions of the Convention, and may in like manner determine the terms and conditions on which those privileges may be enjoyed.

(3) For the purpose of giving effect to any custom or agreement by which New Zealand and any other State extend to each other treatment more favourable than is required by the provisions of the Convention, the Governor-General may from time to time, by Order in Council, declare that a mission of that State and persons connected with that mission shall be accorded such immunity from jurisdiction, and inviolability, as are specified in the order:

Provided that nothing in this subsection shall apply with respect to persons to whom section 6 of this Act applies.

(4) In subsections (2) and (3) of this section, the expression “treatment more favourable” includes the according of privileges or immunities, as the case may be, to persons who under the Convention may enjoy privileges and immunities only to the extent admitted by the receiving State.

(5) Where by or by virtue of this Act immunity from jurisdiction is accorded to persons who are not diplomatic agents or persons enjoying immunity under Article 37 of the Convention, the immunity accorded to those first-mentioned persons may be waived in the manner and subject to the conditions specified in Article 32 of the Convention, and the waiver shall have the same consequences as a waiver under that Article.

(6) For the purposes of the provisions of the Articles referred to in subsection (1) of this section,—

(a) A reference in those provisions to the receiving State shall be construed as a reference to New Zealand:

(b) A reference in those provisions to a national of the receiving State shall be construed as a reference to a New Zealand citizen:

(c) The reference in paragraph 1 of Article 22 to agents of the receiving State shall be construed as including a reference to any constable and any person exercising a power of entry to premises:

(d) The reference in Article 32 to waiver by the sending State shall be construed as including a waiver by the head of the mission of the sending State or by a person for the time being performing the functions of the head of mission:

(e) Articles 35, 36, and 40 shall be construed as granting the privileges or immunities that those Articles require to be granted:

(f) The reference in paragraph 1 of Article 36 to such laws and regulations as the receiving State may adopt shall be construed as including a reference to any law in force in New Zealand relating to the quarantine, or the prohibition or restriction of the importation into, or the exportation from, New Zealand of animals, plants, or goods:

Provided that any immunity from jurisdiction that a person may possess or enjoy by virtue of subsection (1) of this section shall not be prejudiced:

(g) The reference in paragraph 4 of Article 37 to the extent to which privileges and immunities are admitted by the receiving State, and the reference in paragraph 1 of Article 38 to any additional privileges and immunities that may be granted by the receiving State, shall, so far as they relate to privileges, be construed as references to such determinations as may be made by the Minister pursuant to subsection (2) of this section, and, so far as they relate to immunities, be construed as references to such immunities as may be conferred by an Order in Council under subsection (3) of this section:

(h) The reference in paragraph 2 of Article 38 to the extent to which privileges and immunities are admitted by the receiving State shall, so far as it relates to privileges, be construed as a reference to such determinations as may be made by the Minister pursuant to subsection (2) of this section, and, so far as it relates to immunities, be construed, in relation to persons to whom section 6 of this Act applies, as a reference to immunities conferred by that section, and, in relation to other persons to whom that paragraph applies, as a reference to such immunities as may be conferred by an Order in Council under subsection (3) of this section:

(i) The reference in paragraph 1 of Article 39 to the Ministry of Foreign Affairs or such other Ministry as may be agreed shall be construed as a reference to the Department of External Affairs.

6. *Immunities of certain members of the staff of a mission who are New Zealand citizens or residents*—The members of the administrative and technical staff, and members of the service staff, of a mission who are New Zealand citizens or are permanently resident in New Zealand shall be accorded immunity from jurisdiction, and inviolability, in respect of official acts performed in the exercise of their functions.

7. *Withdrawal of diplomatic privileges and immunities*—(1) Where the Governor-General is satisfied that the privileges and immunities accorded in relation to a mission of New Zealand in any State, or to persons connected with that mission, are less than those conferred by or by virtue of this Part of this Act in relation to the mission of that State, or to persons connected with that mission, he may, by Order in Council, withdraw, modify, or restrict, in relation to that mission or to persons connected with that mission, such of the privileges and immunities so conferred to such extent as appears to him to be proper.

(2) Any Order in Council under subsection (1) of this section shall be disregarded for the purposes of paragraph (a) of the proviso to section 6 of the British Nationality and New Zealand Citizenship Act 1948 (which relates to the citizenship of the children of certain persons possessing diplomatic immunities).

## PART II

### PRIVILEGES AND IMMUNITIES OF INTERNATIONAL ORGANISATIONS AND PERSONS CONNECTED THEREWITH

8. *Meaning of "State"*—In this Part of this Act, unless the context otherwise requires, the term "State" means a foreign State or any country that is a member of the Commonwealth of Nations.

9. *Privileges, immunities, and capacities of certain international organisations and persons connected therewith*—(1) This section shall apply to any organisation declared by the Governor-General, by Order in Council, to be an organisation of which two or more States or the Governments thereof are members.

(2) The Governor-General may from time to time, by Order in Council,—

(a) Provide that any organisation to which this section applies (hereinafter referred to as the organisation) shall, to such extent as may be specified in the order, have the privileges and immunities specified in the Second Schedule to this Act, and shall also have the legal capacities of a body corporate:

(b) Confer upon—

(i) Any persons who are representatives (whether of Governments or not) on any organ of the organisation or at any conference convened by the organisation or are members of any committee of the organisation or of any organ thereof:

(ii) Such officers or classes of officers of the organisation as are specified in the order, being the holders of such high offices in the organisation as are so specified:

(iii) Such persons employed on missions on behalf of the organisation as are specified in the order,— to such extent as may be specified in the order, the privileges and immunities specified in the Third Schedule to this Act:

(c) Confer upon such other classes of officers and servants of the organisation as are specified in the order, to such extent as may be so specified, the privileges and immunities specified in the Fourth Schedule to this Act,—

and the Fifth Schedule to this Act shall have effect for the purpose of extending to the staffs of such representatives and members as are mentioned in subparagraph (i) of paragraph (b) of this subsection and to the members of the families forming part of the household of officers of the organisation any privileges and immunities conferred on the representatives, members, or officers under that paragraph, except in so far as the operation of the said Fifth Schedule is excluded by the order conferring the privileges and immunities:

Provided that no Order in Council under this subsection shall confer any privilege or immunity upon any person as the representative of Her Majesty in right of New Zealand or of the Government of New Zealand or as a member of the staff of such a representative.

10. *Privileges and immunities of Judges of, and suitors to, the International Court of Justice*—The Governor-General may from time to time, by Order in Council, confer on the Judges and Registrars of the International Court of Justice established by the Charter of the United Nations, and on suitors to that Court and their agents, counsel, and advocates, such privileges, immunities, and facilities as may be required to give effect to any resolution of, or convention approved by, the General Assembly of the United Nations.

11. *Privileges and immunities of representatives attending international conferences*—Where—

(a) A conference is held in New Zealand and is attended by representatives of the Government of New Zealand and the Government or Governments of one or more States

or of any of the territories for whose international relations any of those Governments is responsible; and

(b) It appears to the Minister that doubts may arise as to the extent to which the representatives of those Governments (other than the Government of New Zealand) and members of their official staffs are entitled to privileges and immunities,—

the Minister may, by notice in the *Gazette*, direct that every representative of any such Government (other than the Government of New Zealand) shall be accorded such of the privileges and immunities conferred by or by virtue of Part I of this Act on a diplomatic agent as the Minister specifies, and that such of the members of his official staff as the Minister may direct shall be accorded such of the privileges and immunities conferred by or by virtue of Part I of this Act on members of the diplomatic staff or the administrative and technical staff of a diplomatic mission as the Minister specifies.

12. *Reciprocal treatment*—Nothing in the foregoing provisions of this Part of this Act shall be construed as precluding the Governor-General in Council from declining to accord privileges or immunities to, or from withdrawing, modifying, or restricting privileges or immunities in relation to, nationals or representatives of any State, or the Government thereof, on the ground that that State, or the Government thereof, is failing to accord corresponding privileges or immunities to New Zealand nationals or representatives.

...

#### PART IV

##### MISCELLANEOUS PROVISIONS

...

20. *General provisions as to exemptions*—(1) The powers conferred on the Governor-General in Council by section 9 or section 10 of this Act ... shall be deemed to include power to exempt from stamp duty under the Stamp Duties Act 1954 and from any fee or duty under any other Act any instrument or class of instruments to which any organisation, Government, or person, as the case may be, to which or to whom the order or exemption applies is a party.

...

21. *Refunds or payments in case of exemptions from taxation*—(1) The Minister of Finance may direct that such refunds or payments be made from any public fund or account or from the money of any local authority, public body, or person as may in the opinion of that Minister be necessary to give effect ... to any exemption granted under section 9, section 10, section 11, ... of this Act.

...

22. *Certificate of Minister*—If in any proceedings any question arises whether or not any person or any organisation is or was at any time or in respect of any period accorded any privilege or immunity under or by virtue of this Act, a certificate issued by the Minister stating any fact relevant to that question shall be conclusive evidence of that fact.

23. *Saving of legal proceedings*—This Act shall not affect any legal proceedings begun before the commencement of this Act.

24. *Regulations*—The Governor-General may from time to time, by Order in Council, make regulations providing for such matters as are contemplated by or necessary for giving full effect to this Act and for the due administration thereof.

25. *Application of Act to Niue and the Tokelau Islands*—(1) This Act shall be in force in Niue and in the Tokelau Islands.



(2) In the application of this Act to Niue, unless the context otherwise requires—

(a) Every reference to New Zealand (when used as a territorial description) shall be construed as including a reference to Niue:

(b) Every reference in section 21 to the Minister of Finance shall be construed as a reference to the Resident Commissioner of Niue:

...

(3) In the application of this Act to the Tokelau Islands, unless the context otherwise requires, every reference to New Zealand (when used as a territorial description) shall be construed as including a reference to the Tokelau Islands.

26. *Application of Act to Cook Islands*—Whereas in accordance with Article 46 of the Constitution of the Cook Islands (as set out in the Second Schedule to the Cook Islands Constitution Amendment Act 1965) the Government of the Cook Islands has requested and consented to the enactment of a provision extending the provisions of this Act to the Cook Islands as part of the law of the Cook Islands: Be it therefore enacted as follows:

(1) This Act shall extend to the Cook Islands as part of the law of the Cook Islands.

(2) In the application of this Act to the Cook Islands, unless the context otherwise requires—

(a) Every reference to New Zealand (when used as a territorial description) shall be construed as including a reference to the Cook Islands:

(b) Every reference to the Minister of Finance shall be construed as a reference to the Minister of Finance of the Cook Islands:

...

(d) Every reference in the Second Schedule or the Fourth Schedule to the Minister of Customs shall be construed as a reference to the Minister of Customs of the Cook Islands.

27. *Repeals*—(1) The following enactments are hereby repealed:

(a) The Diplomatic Immunities and Privileges Act 1957:<sup>8</sup>

(b) So much of the Second Schedule to the Western Samoa Act 1961 as relates to the Diplomatic Immunities and Privileges Act 1957.

(2) As from the commencement of this Act, sections 3 and 5 of the Act of the Parliament of Great Britain intituled the Diplomatic Privileges Act 1708 shall cease to have effect as part of the law of New Zealand.

## SCHEDULES

### First Schedule

#### VIENNA CONVENTION ON DIPLOMATIC RELATIONS

[Not reproduced]<sup>9</sup>

### Second Schedule

Section 9 (2) (a)

#### PRIVILEGES AND IMMUNITIES OF INTERNATIONAL ORGANISATIONS

1. Immunity from suit and legal process.

<sup>8</sup> United Nations Legislative Series, *Legislative texts and treaty provisions concerning the legal status, privileges and immunities of international organizations*, vol. I (ST/LEG/SER.B/10—United Nations publication, Sales No.: 60.V.2), p. 55.

<sup>9</sup> See United Nations, *Treaty Series*, vol. 500, p. 95.

2. The like inviolability of official premises and archives as is accorded in respect of the official premises and archives of a diplomatic mission.

3. Immunity in relation to its property and assets, wherever located and by whomsoever held, from search, requisition, confiscation, expropriation, or any other form of interference.

4. The like exemption from taxes and rates, other than taxes on the importation of goods, as is accorded to the Government of any foreign State.

5. Exemption from taxes on the importation of goods directly imported by the organisation for its official use in New Zealand or for exportation, or on the importation of any publications of the organisation directly imported by it, subject to compliance with such conditions as the Minister of Customs may determine for the protection of the revenue.

6. 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, subject to compliance with such conditions as the Minister of Customs may determine for the protection of the public health, the prevention of diseases in plants and animals, and otherwise in the public interest.

7. 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 dispatched from places outside New Zealand), of any reduced rates applicable for the corresponding service in the case of press telegrams.

---

### Third Schedule

Section 9 (2) (b)

#### PRIVILEGES AND IMMUNITIES OF REPRESENTATIVES, MEMBERS OF COMMITTEES, HIGH OFFICERS, AND PERSONS ON MISSIONS

1. The like immunity from suit and legal process as is accorded to a diplomatic agent.
2. The like inviolability of residence, official premises, and official archives as is accorded to a diplomatic agent.
3. The like exemption from taxes and rates as is accorded to a diplomatic agent.

---

### Fourth Schedule

Section 9 (2) (c)

#### PRIVILEGES AND IMMUNITIES OF OTHER OFFICERS AND SERVANTS

1. Immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties.
2. Exemption from taxes in respect of emoluments received as an officer or servant of the organisation.
3. Exemption from taxes on the importation of furniture and effects imported at the time of first taking up post in New Zealand, that exemption to be subject to compliance with such conditions as the Minister of Customs may determine for the protection of the revenue.

---

### Fifth Schedule

Section 9 (2)

#### PRIVILEGES AND IMMUNITIES OF OFFICIAL STAFFS AND OF HIGH OFFICERS' FAMILIES

1. Where any person is accorded any such immunities and privileges as are mentioned in the Third Schedule to this Act as the representative on any organ of the organisation or a member of any committee of the organisation or of an organ thereof, the members of his official staff accompanying him as such a representative or member shall also be accorded those immunities and privileges to the same extent as the members of the staff of a mission are accorded the immunities and privileges accorded to a diplomatic agent.

2. Where any person is accorded any such privileges and immunities as are mentioned in the Third Schedule to this Act as an officer of the organisation, the members of the family of that person who form part of his household shall also be accorded those privileges and immunities to the same extent as the members of the family of a diplomatic agent who form part of his household are accorded the privileges and immunities accorded to that diplomatic agent.

---

(b) THE DIPLOMATIC PRIVILEGES (IMCO) ORDER 1960, AMENDMENT NO. 2

Arthur PORRITT, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 14th day of April 1969

PRESENT:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL

PURSUANT to the Diplomatic Privileges and Immunities Act 1968, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and in respect of clause 4 of this order at the request and with the consent of the Government of the Cook Islands given in accordance with the Constitution of the Cook Islands, hereby makes the following order.

---

ORDER

*Title*—This order may be cited as the Diplomatic Privileges (IMCO) Order 1960, Amendment No. 2, and shall be read together with and deemed part of the Diplomatic Privileges (IMCO) Order 1960\* (hereinafter referred to as the principal order).

2. *Immunities and privileges of high officers*—Clause 12 of the principal order is hereby amended by omitting the words “(or any officer acting for him during his absence from duty)”, and substituting the words “, the Deputy Secretary-General of the organisation,”.

3. *Immunities and privileges of persons serving on committees of the organisation or employed on missions*—Clause 13 of the principal order is hereby amended by omitting the word “agency”, and substituting the word “organisation”.

4. *Application to Cook Islands*—This order shall be in force in the Cook Islands.

P. J. BROOKS,  
Clerk of the Executive Council.

---

3. Sierra Leone

THE DIPLOMATIC PRIVILEGES (INTERNATIONAL MONETARY FUND) ORDER, 1968<sup>10</sup>

In exercise of the powers conferred upon him by section 11 of the Diplomatic Immunities and Privileges Act 1961, as adapted by the Proclamation entitled

---

\* S.R. 1960/141.  
Amendment No. 1 : S.R. 1961/67.

<sup>10</sup> Public notice No. 16 of 1968 (Supplement to the *Official Gazette*, 7 March 1968).

“Administration of Sierra Leone (National Reformation Council) Proclamation, 1967”, the National Reformation Council Member charged with responsibility for the Department of External Affairs hereby makes the following Order:—

1. This Order shall be deemed to have come into force on the 4th day of December, 1967.

#### A. THE ORGANISATION

2. The International Monetary Fund (hereinafter referred to as “the Organisation”) is an organisation of which Her Majesty’s Government in Sierra Leone and the Governments of other sovereign powers are members.

3. 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.

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 Majesty.

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.

6. The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in Sierra Leone 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 Chairman of the National Reformation Council may prescribe for the protection of the Revenue of Sierra Leone.

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 publication of the Organisation directly imported or exported by it, such exemption to be subject to compliance with such conditions as the Chairman of the National Reformation Council may prescribe for the protection of the revenue of Sierra Leone.

8. The Organisation shall have the right to avail itself, for telegraphic communications sent by it and containing only matters for publication by the Press or for broadcasting (including communications addressed to or despatched from places outside Sierra Leone) of any reduced rates applicable for the corresponding service in the case of Press telegrams.

#### B. REPRESENTATIVES OF MEMBERS: MEMBERS OF THE GOVERNING BODY OF THE INTERNATIONAL MONETARY FUND

9. (1) Except in so far as any privilege or immunity is waived, in the case of representatives of member Governments, by the Governments whom they represent; and in the case of members and deputy members of the Governing Body of the International Monetary Fund and their substitutes, by the Governing Body, representatives of member Governments and the members and deputy members of the Governing Body of the International Monetary Fund and their substitutes 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 of 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.

(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 Majesty, save that the relief allowed shall not include relief from customs 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 Sierra Leone during any period when they are present in Sierra Leone whilst exercising their functions or during their journey to and from the place of meeting. The provisions of this paragraph shall not apply to citizens of Sierra Leone.

(2) For the purpose 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 sub-paragraphs shall not confer any immunity or privilege upon any person as the representative of Her Majesty's Government in Sierra Leone or a member of the staff of such a representative, or any person who is a citizen of Sierra Leone.

#### C. HIGH OFFICIALS

10. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, officers of the Organisation holding the offices of Director-General or Deputy Director-General 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 Majesty, his spouse and children, including exemption from income tax in respect of emoluments received by them as officers of the Organisation.

#### D. PERSONS SERVING ON COMMITTEE OF OR EMPLOYED ON MISSIONS ON BEHALF OF THE ORGANISATION

11. Except in so far as in any particular case any privilege is waived by the Organisation, persons (other than officials of the Organisation) serving on Committees of, or employed on missions on behalf of the Organisation 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 of all papers and documents relating to the work of the Organisation.

(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 mission on behalf of the Organisation.

#### E. OTHER OFFICIALS OF THE ORGANISATION

12. Except in so far as in any particular case any privilege or immunity is waived by the Organisation, all officials of the Organisation (other than those referred to in paragraph 10) 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 or servants of the Organisation.

(c) Exemption from taxes on the importation of furniture and effects imported at the time of first taking up their post in Sierra Leone subject to compliance with such conditions as the Chairman of the National Reformation Council may prescribe for the protection of the Revenue.

MADE this 4th day of December, 1967.

Issued under my hand,

L. W. LEIGH,  
*Member of the National Reformation Council  
with responsibility for External Affairs.*