

Diplomatic Immunities and Privileges

Cap. 18.

**DIPLOMATIC IMMUNITIES AND PRIVILEGES
(INTERNATIONAL TELECOMMUNICATION
UNION) ORDER, 1955**

L.N.
1955/151.

Made by the Minister under section 6 of the Diplomatic Immunities and Privileges Act.

Cap. 18.

1. This Order may be cited as the Diplomatic Immunities and Privileges (*International Telecommunication Union*) Order, 1955.

A. The Organisation

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

3. 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.

4. 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.

5. 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.

6. The Union shall have exemption from taxes on the importation of goods directly imported by the Union for its official use in this Island 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

THE LAWS OF BARBADOS

as the Comptroller of Customs may prescribe for the protection of the revenue.

7. 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 on Organs or Committees of the Union

8. (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 this Island during any period when they are present in this Island for the discharge of their duties.

(iii) For the purposes of the application of this paragraph, 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 sub-paragraphs of this paragraph shall not confer any immunity or privilege on any person as the representative of Her Majesty's Government in this Island or 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

9. 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

10. 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

11. The names of the persons to whom the provisions of paragraphs 8 and 9 of this order apply shall be set forth in a list compiled and published from time to time by the Minister under section 8 or 10, as the case may be, 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.

THE LAWS OF BARBADOS