

Orders made under s.2.

**DIPLOMATIC PRIVILEGES (INTERNATIONAL
TELECOMMUNICATIONS UNION) ORDER**

(1955.10.13-1)

14.10.1955

1. This Order may be cited as the Diplomatic Privileges (International Telecommunications Union) Order.

A. The Organisation.

2. The International Telecommunications 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 Gibraltar 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 Financial and Development Secretary may prescribe for the protection of the revenue.

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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. (1) 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 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 things done or omitted to be done by them in their capacity as representatives.

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

(3) 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 description.

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

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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 apply shall be set forth in a list compiled and published from time to time by the Governor under section 2(3) 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.