Revised Regulations of Anguilla: D25-5

DIPLOMATIC PRIVILEGES (EXTENSION) ACT (R.S.A. c. D25)

INTERNATIONAL TELECOMMUNICATION UNION ORDER

Note: These Regulations are enabled under section 2 of the Diplomatic Privileges (Extension) Act, R.S.A. c. D25.

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THE ORGANISATION

Interpretation

1. In this Order, "Union" means the International Telecommunication Union.

Declaration

2. The International Telecommunication Union is an Organisation of which the United Kingdom and foreign sovereign Powers are members.

Body corporate

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.

Inviolability of archives

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.

Exemption from taxes

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.

Exemption from customs duty

6. The Union shall have exemption from taxes on the importation of goods directly imported by the Union for its official use in Anguilla 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 Comptroller of Customs of Anguilla may prescribe for the protection of the revenue.

Exemption from prohibition and restrictions on importation, etc.

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.

REPRESENTATIVES ON ORGANS OR COMMITTEES OF THE UNION

Immunity and privileges

8. (1) Except in so far as in any particular case any privilege or immunity is waived by the Government 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 those 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; and

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

(3) For the purposes of the application of this section, 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—

(a) alternate representatives;

(b) advisers;

(c) technical experts; and

(d) secretaries of delegations;

and Part 4 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.

HIGH OFFICIALS OF THE UNION

The Secretary-General

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 21, 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.

OTHER OFFICIALS OF THE UNION

Immunities

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; and

(b) exemption from income tax in respect of emoluments received by them as officers or servants of the Union.

GENERAL

List of persons entitled to immunities and privileges

11. The names of the persons to whom the provisions of sections 8, 9 and 10 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.

Citation

12. These Regulations may be cited as the International Telecommunication Union Order, Revised Regulations of Anguilla D25-5.

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