

SCHEDULES

SCHEDULE 1

PROVISIONS OF VIENNA CONVENTION HAVING THE FORCE OF LAW IN THE UNITED KINGDOM

CHAPTER II.—FACILITIES, PRIVILEGES AND IMMUNITIES RELATING TO CONSULAR POSTS, CAREER CONSULAR OFFICERS AND OTHER MEMBERS OF A CONSULAR POST

SECTION I.—FACILITIES, PRIVILEGES AND IMMUNITIES RELATING TO A CONSULAR POST

Modifications etc. (not altering text)

C1 Chapt. II Sect. I extended by [S.I. 1985/1983](#), [arts. 7, 10, 12](#)

Article 35

Freedom of communication

- 1 The receiving State shall permit and protect freedom of communication on the part of the consular post for all official purposes. In communicating with the Government, the diplomatic missions and other consular posts, wherever situated, of the sending State, the consular post may employ all appropriate means, including diplomatic or consular couriers, diplomatic or consular bags and messages in code or cipher. However, the consular post may install and use a wireless transmitter only with the consent of the receiving State.
- 2 The official correspondence of the consular post shall be inviolable. Official correspondence means all correspondence relating to the consular post and its functions.
- 3 The consular bag shall be neither opened nor detained. Nevertheless, if the competent authorities of the receiving State have serious reason to believe that the bag contains something other than the correspondence, documents or articles referred to in paragraph 4 of this Article, they may request that the bag be opened in their presence by an authorized representative of the sending State. If this request is refused by the authorities of the sending State, the bag shall be returned to its place of origin.
- 4 The packages constituting the consular bag shall bear visible external marks of their character and may contain only official correspondence and documents or articles intended exclusively for official use.

Changes to legislation: *There are currently no known outstanding effects for the Consular Relations Act 1968, Cross Heading: Article 35. (See end of Document for details)*

- 5 The consular courier shall be provided with an official document indicating his status and the number of packages constituting the consular bag. Except with the consent of the receiving State he shall be neither a national of the receiving State, nor, unless he is a national of the sending State, a permanent resident of the receiving State. In the performance of his functions he shall be protected by the receiving State. He shall enjoy personal inviolability and shall not be liable to any form of arrest or detention.
- 6 The sending State, its diplomatic missions and its consular posts may designate consular couriers *ad hoc*. In such cases the provisions of paragraph 5 of this Article shall also apply except that the immunities therein mentioned shall cease to apply when such a courier has delivered to the consignee the consular bag in his charge.
- 7 A consular bag may be entrusted to the captain of a ship or of a commercial aircraft scheduled to land at an authorized port of entry. He shall be provided with an official document indicating the number of packages constituting the bag, but he shall not be considered to be a consular courier. By arrangement with the appropriate local authorities, the consular post may send one of its members to take possession of the bag directly and freely from the captain of the ship or of the aircraft.

Changes to legislation:

There are currently no known outstanding effects for the Consular Relations Act 1968, Cross
Heading: Article 35.