
STATUTORY INSTRUMENTS

1970 No. 1926

CONSULAR RELATIONS

**The Consular Relations (Privileges and Immunities)
(Federal Republic of Germany) Order 1970**

Laid before Parliament in draft

Made - - - - 17th December 1970

Coming into Operation 1st January 1971

At the Court at Buckingham Palace, the 17th day of December 1970

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been laid before and approved by resolution of each House of Parliament in accordance with section 14(1) of the Consular Relations Act 1968 (hereinafter referred to as "the Act"):

Now, therefore, Her Majesty, by virtue and in exercise of the powers conferred on Her by section 3(1) of the Act or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Consular Relations (Privileges and Immunities) (Federal Republic of Germany) Order 1970 and shall come into operation on 1st January 1971.

2. The Interpretation Act 1889 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. The like exemption from dues and taxes as is accorded under Article 32 in Schedule 1 to the Act to the residence of the career head of a consular post shall be extended to the residence of a career consular officer or a consular employee of the Federal Republic of Germany of which the Federal Republic of Germany or any person acting on its behalf is the owner or lessee.

4.—(1) Paragraph 2 of Article 50 in Schedule 1 to the Act (exemption from customs duties) shall be applied in regard to consular employees of the Federal Republic of Germany who satisfy the conditions set out in paragraph (2) of this Article as if the words "in respect of articles imported at the time of first installation" were omitted.

(2) The conditions referred to in paragraph (1) of this Article are that the consular employee concerned—

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- (a) is not a citizen of the United Kingdom and Colonies, a person who is a British subject by virtue of section 2, 13 or 16 of the British Nationality Act 1948 or the British Nationality Act 1965, or a British protected person within the meaning of the said Act of 1948, and
- (b) does not carry on any private gainful occupation in the United Kingdom, and
- (c) is not permanently resident in the United Kingdom.

5. A consular bag exchanged between a consular officer of the Federal Republic of Germany in the United Kingdom and the Government, a diplomatic mission or another consular post of the Federal Republic of Germany shall be accorded the treatment which is accorded to a diplomatic bag by Article 27 in Schedule 1 to the Diplomatic Privileges Act 1964.

W. G. Agnew

EXPLANATORY NOTE

This Order, which is made pursuant to the Consular Relations Act 1968, provides, with respect to consular posts of the Federal Republic of Germany and persons connected with them, for accordingly privileges additional to those accorded by Schedule 1 to the Act, namely—

- (i) relief from rates and taxes for the residences of career consular officers and consular employees;
- (ii) exemption for certain consular employees from customs duties on articles for their personal use, or that of members of their families forming part of their households, imported throughout the period of their appointment;
- (iii) the same treatment in respect of a consular bag as is accorded to a diplomatic bag.

It gives effect to the relevant provisions of the Consular Convention between the United Kingdom and the Federal Republic of Germany which was signed at Bonn on 30th July 1956 (Cmnd. 607).