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STATUTORY INSTRUMENTS

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**1970 No. 1935**

**CONSULAR RELATIONS**

**The Consular Relations (Privileges and Immunities) (Spanish State) 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) (Spanish State) 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 consular officer of the Spanish State of which the Spanish State or any person acting expressly on its behalf is the owner or lessee.

4.—(1) Except in respect of importations of consumable goods (such as wines, spirits and tobacco), 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 Spanish State 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, provided that no such consular employee shall have in his possession or use at any time more than one vehicle in respect of which exemption from customs duty has been given on importation.

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

- (a) is a Spanish subject, and 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, and
- (d) is in receipt of regular emoluments from the Spanish State.

*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 Spanish State and persons connected with them, for according privileges additional to those accorded by Schedule 1 to the Act, namely—

- (i) relief from rates and taxes for the residences of consular officers:
- (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.

It gives effect to the relevant provisions of the Consular Convention between the United Kingdom and the Spanish State which was signed at Madrid on 30th May 1961 (Cmnd. 2016), as these provisions have been interpreted by the two Governments.