
STATUTORY INSTRUMENTS

1974 No. 1261

The United Nations and International Court of Justice (Immunities and Privileges) Order 1974

PART II

THE UNITED NATIONS

Representatives

14.—(1) Except in so far as in any particular case any privilege or immunity is waived by the Government of the member which they represent, representatives of members of any organ, committee or other subordinate body of the United Nations (including any sub-committee or other subordinate body of a subordinate body of the United Nations) shall enjoy:—

- (a) immunity from suit and legal process in respect of things done or omitted to be done by them in their capacity as representatives;
- (b) while exercising their functions and during their journeys to and from the place of meeting, the like inviolability of residence, the like immunity from personal arrest or detention and from seizure of their personal baggage, the like inviolability of all papers and documents and the like exemption or relief from taxes (other than customs and excise duties, car tax and value added tax) and rates as is accorded to the head of a diplomatic mission;
- (c) while exercising their functions and during their journeys to and from the place of meeting, the like exemptions and privileges in respect of their personal baggage as in accordance with Article 36 of the 1961 Convention Articles are accorded to a diplomatic agent; and
- (d) while exercising their functions and during their journeys to and from the place of meeting, exemptions whereby, for the purposes of the enactments relating to national insurance and social security, including enactments in force in Northern Ireland,—
 - (i) services rendered for the United Nations by them shall be deemed to be excepted from any class of employment in respect of which contributions or premiums under those enactments are payable, but
 - (ii) no person shall be rendered liable to pay any contribution or premium which he would not be required to pay if those services were not deemed to be so excepted:

provided that until the day appointed for the coming into force of section 2 of the Social Security Act 1973 the following shall apply in substitution for the foregoing provisions of this subparagraph—

“while exercising their functions and during their journeys to and from the place of meeting, exemptions whereby for the purposes of the National Insurance Acts 1965 to 1973, the National Insurance (Industrial Injuries) Acts 1965 to 1973, any enactment for the time being in force amending any of those Acts, and any enactment of the Parliament of Northern Ireland corresponding to any of those Acts or to any enactment amending any of those Acts.

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(i) services rendered for the United Nations by them shall be deemed to be excepted from any class of employment which is insurable employment, or in respect of which contributions are required to be paid, but

(ii) no person shall be rendered liable to pay any contribution which he would not be required to pay if those services were not deemed to be so excepted.”.

(2) Where the incidence of any form of taxation depends upon residence, a representative shall not be deemed to be resident in the United Kingdom during any period when he is present in the United Kingdom for the discharge of his duties.

(3) Part IV of Schedule 1 to the Act shall not operate so as to confer any privilege or immunity on:—

(a) the official staff of a representative other than delegates, deputy delegates, advisers, technical experts and secretaries of delegations, or

(b) the family of a representative or of a member of the official staff of a representative.

(4) Neither this Article nor Part IV of Schedule 1 to the Act shall operate so as to confer any privilege or immunity on any person as the representative of the United Kingdom or as a member of the official staff of such a representative or on any person who is a citizen of the United Kingdom and Colonies.