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STATUTORY INSTRUMENTS

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**2001 No. 3921**

The Organisation for the Prohibition of Chemical  
Weapons (Immunities and Privileges) Order 2001

PART IV  
OFFICIALS

**High officials**

**14.**—(1) Except in so far as in any particular case any privilege or immunity is waived by the Organisation, the Director-General of the Organisation and his spouse, or any senior official acting on his behalf during his absence from duty, shall enjoy:—

- (a) the like immunity from suit and legal process, the like inviolability of residence, and the like exemption or relief from taxes and rates, other than customs duties and taxes on the importation of goods, as are accorded to or in respect of the head of a diplomatic mission;
- (b) the like exemption from customs duties and taxes on the importation of articles imported for his personal use or the use of members of his family forming part of his household, including articles intended for his establishment, as in accordance with paragraph 1 of Article 36 of the 1961 Convention Articles is accorded to a diplomatic agent;
- (c) the like exemption and privileges in respect of his personal baggage as in accordance with paragraph 2 of Article 36 of the 1961 Convention Articles are accorded to a diplomatic agent;
- (d) relief, under arrangements made by the Commissioners of Customs and Excise, by way of refund of duty (whether of customs or excise) paid on any hydrocarbon oil (within the meaning of the Hydrocarbon Oil Duties Act 1979) or value added tax paid on the importation of such oil which is bought in the United Kingdom by him or on his behalf, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements; and
- (e) 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 Organisation by the officer 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.

(2) This Article shall not apply to any person who is a British citizen, a British Dependent Territories citizen, a British Overseas citizen, a British National (Overseas) or who is a permanent resident of the United Kingdom.

### **All officials**

**15.**—(1) Except in so far as in any particular case any privilege or immunity is waived by the Organisation, in respect of activities related to the object and purpose of the Convention officials of the Organisation, other than those who are locally recruited and assigned to hourly rates of pay, shall enjoy:—

- (a) immunity from personal arrest or detention and from seizure of their personal baggage;
- (b) immunity from suit and legal process even after they have left the service of the Organisation, in respect of acts, including words spoken or written, performed by them in their official capacity; this immunity shall not apply, however, in the case of damage caused by a motor vehicle belonging to or driven by an official;
- (c) exemption from income tax in respect of salaries and emoluments paid to them by the Organisation, provided that an internal effective tax for the benefit of the Organisation on such salaries and emoluments is applied.

(2) Paragraph 1 of this Article shall not apply in respect of activities relating to the conduct of inspections within the meaning of section 24 of the Chemical Weapons Act 1996<sup>(1)</sup>.

(3) Paragraph (1) of this Article shall not apply to pensions or annuities paid by the Organisation.

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<sup>(1)</sup> 1996 c. 6.