

**EXPLANATORY MEMORANDUM TO**  
**THE COMMONWEALTH HEADS OF GOVERNMENT MEETING (IMMUNITIES**  
**AND PRIVILEGES) ORDER 2018**

**2018 No. 178**

**1. Introduction**

- 1.1 This explanatory memorandum has been prepared by the Foreign and Commonwealth Office and is laid before Parliament by Command of Her Majesty.

**2. Purpose of the instrument**

- 2.1 This Order confers immunities and privileges on representatives of sovereign Powers (other than the United Kingdom) at the Commonwealth Heads of Government Meeting, which is due to be held in London and Windsor beginning on 16th April 2018.

**3. Matters of special interest to Parliament**

*Matters of special interest to the Joint Committee on Statutory Instruments*

- 3.1 None.

*Other matters of interest to the House of Commons*

- 3.2 As this instrument is subject to the negative resolution procedure and is not expected to be prayed against, consideration as to whether there are other matters of interest to the House of Commons does not arise at this stage.

**4. Legislative Context**

- 4.1 Section 6 of the International Organisations Act 1968, under which this Order is made, enables certain immunities and privileges to be conferred on representatives of sovereign Powers attending conferences held in the United Kingdom.

**5. Extent and Territorial Application**

- 5.1 The extent of this instrument is England and Wales.  
5.2 The territorial application of this instrument is England and Wales.

**6. European Convention on Human Rights**

- 6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

**7. Policy background**

*What is being done and why*

- 7.1 This Order is designed to confer certain privileges and immunities, for the duration of the Commonwealth Heads of Government Meeting beginning on 16th April 2018 only (including travel to and from the meeting), on representatives of sovereign Powers (except the United Kingdom) if those representative have been notified to the Secretary of State and accepted by him as such. Those representatives will be

accorded immunity from suit and legal process, including arrest or detention, as well as inviolability of personal baggage, which encompasses their papers and documents.

*Consolidation*

- 7.2 This Order will only have effect for the duration of the Commonwealth Heads of Government Meeting in April 2018 and therefore consolidation is not appropriate.

**8. Consultation outcome**

- 8.1 This Order has been prepared in consultation with other relevant Government Departments.

**9. Guidance**

- 9.1 None.

**10. Impact**

- 10.1 There is no impact on business, charities or voluntary bodies.  
10.2 There is no impact on the public sector.  
10.3 An Impact Assessment has not been prepared for this instrument.

**11. Regulating small business**

- 11.1 The legislation does not apply to activities that are undertaken by small businesses.

**12. Monitoring & review**

- 12.1 This Order will only have effect for the duration of the Commonwealth Heads of Government Meeting in April 2018 and will cease to have effect when all representatives have left the United Kingdom at the end of the meeting.

**13. Contact**

- 13.1 Margaret Purdasy at the Foreign and Commonwealth Office, telephone: 07867 372394 or email: [margaret.purdasy@fco.gov.uk](mailto:margaret.purdasy@fco.gov.uk), can answer any queries regarding the instrument.