
STATUTORY INSTRUMENTS

1991 No. 2290

ARMS CONTROL

**The Arms Control and Disarmament (Inspections)
(Sovereign Base Areas of Akrotiri and Dhekelia) Order 1991**

Made - - - - 16th October 1991

Coming into force in accordance with article 1

At the Court of Saint James, the 16th day of October 1991

Present,

The Counsellors of State in Council

Whereas Her Majesty in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 25th day of September 1991 to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

Now, therefore, His Royal Highness The Prince Andrew, Duke of York, and His Royal Highness The Prince Edward, being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by section 6(4) of the Arms Control and Disarmament (Inspections) Act 1991⁽¹⁾ and all other powers enabling Her Majesty, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Arms Control and Disarmament (Inspections) (Sovereign Base Areas of Akrotiri and Dhekelia) Order 1991 and shall come into force on the date on which the Treaty on Conventional Armed Forces in Europe signed in Paris on 19th November 1990⁽²⁾ enters into force. This date will be notified in the London, Edinburgh, Belfast and Sovereign Base Areas Gazettes.

2. The provisions of sections 1 to 5 of the Arms Control and Disarmament (Inspections) Act 1991 shall extend to the Sovereign Base Areas of Akrotiri and Dhekelia (that is to say, the areas mentioned in section 2(1) of the Cyprus Act 1960⁽³⁾) with the modifications that are specified in column 2 of Schedule 1 to this Order.

⁽¹⁾ 1991 c. 41.

⁽²⁾ Cm. 1477.

⁽³⁾ 1960 c. 52.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3. The provisions of the Vienna Convention on Diplomatic Relations of 1961⁽⁴⁾ referred to in section 5(1) and (2) of the said Act as extended to the Sovereign Base Areas of Akrotiri and Dhekelia are set out in Schedule 2 to this Order.

G. I. de Deney
Clerk of the Privy Council

⁽⁴⁾ Cm. 2565.

SCHEDULE 1

Article 2

Column 1	Column 2
Section 2	<p>In subsection (1) the words “the United Kingdom” shall, when they are used the first time, be deleted and the words “the Sovereign Base Areas of Akrotiri and Dhekelia” shall be substituted.</p> <p>In subsections (4) and (6) the words “or other police officer” shall be inserted after the word “constable”.</p>
Section 3	<p>In subsection (1) the words “a fine not exceeding the third level on the standard scale” shall be deleted and the words “a fine not exceeding £1000” shall be substituted.</p> <p>Subsection (3) shall be deleted.</p>
Section 4	<p>For subsection (2) there shall be substituted the following:</p> <p>“(2) In subsection (1):– “Crown land” means land in which there is a Crown interest; and “private interest” means an interest which is not a Crown interest; and for this purpose “Crown interest” means an interest belonging to Her Majesty’s Government in the United Kingdom or to the Sovereign Base Area Administration.”</p>
Section 5	<p>In subsections (1) and (2) the words “the 1961 Articles” shall be deleted and the words “the Vienna Convention on Diplomatic Relations of 1961” shall be substituted.</p> <p>In subsection (2) the word “enactments” shall be deleted and the word “ordinances” shall be substituted.</p> <p>In subsections (3) and (5) the words “the United Kingdom” shall be deleted and the words “the Sovereign Base Areas of Akrotiri and Dhekelia” shall be substituted.</p> <p>In subsection (7) the definitions of “the 1961 Articles” and “enactment” shall be deleted.</p>

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SCHEDULE 2

Article 3

PROVISIONS OF THE VIENNA CONVENTION ON DIPLOMATIC
RELATIONS OF 1961 REFERRED TO IN SECTION 5(1) AND (2) OF THE
ARMS CONTROL AND DISARMAMENT (INSPECTIONS) ACT 1991

ARTICLE 29

The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity.

ARTICLE 30

2. His papers, correspondence and, except as provided in paragraph 3 of Article 31, his property, shall likewise enjoy inviolability.

ARTICLE 31

1. A diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving State. He shall also enjoy immunity from its civil and administrative jurisdiction, except in the case of:

- (a) a real action relating to private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission;
- (b) an action relating to succession in which the diplomatic agent is involved as executor, administrator, heir or legatee as a private person and not on behalf of the sending State;
- (c) an action relating to any professional or commercial activity exercised by the diplomatic agent in the receiving State outside his official functions.

2. A diplomatic agent is not obliged to give evidence as a witness.

3. No measures of execution may be taken in respect of a diplomatic agent except in the cases coming under sub-paragraphs (a), (b) and (c) of paragraph 1 of this Article, and provided that the measures concerned can be taken without infringing the inviolability of his person or of his residence.

ARTICLE 34

A diplomatic agent shall be exempt from all dues and taxes, personal or real, national, regional or municipal, except:

- (a) indirect taxes of a kind which are normally incorporated in the price of goods or services;
- (b) dues and taxes on private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission;
- (c) estate, succession or inheritance duties levied by the receiving State, subject to the provisions of paragraph 4 of Article 39;
- (d) dues and taxes on private income having its source in the receiving State and capital taxes on investments made in commercial undertakings in the receiving State;
- (e) charges levied for specific services rendered;
- (f) registration, court or record fees, mortgage dues and stamp duty, with respect to immovable property, subject to the provisions of Article 23.

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ARTICLE 35

The receiving State shall exempt diplomatic agents from all personal services, from all public service of any kind whatsoever, and from military obligations such as those connected with requisitioning, military contributions and billeting.

ARTICLE 36

1. The receiving State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes, and related charges other than charges for storage, cartage and similar services, on: . . .

- (b) articles for the personal use of a diplomatic agent or members of his family forming part of his household, including articles intended for his establishment.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends the provisions of sections 1 to 5 of the Arms Control and Disarmament (Inspections) Act 1991 to the Sovereign Base Areas of Akrotiri and Dhekelia, subject to the modifications specified in Schedule 1.