

## SCHEDULE 5

### EUROPEAN COURT OF HUMAN RIGHTS

#### *The Court*

2. The judges of the Court, the Registrar of the Court and the Deputy Registrar of the Court shall have inviolability in respect of their documents and papers in so far as they relate to the business of the Court.

3. Except in so far as in any particular case such immunity or privilege is waived by the Court sitting in plenary session, judges of the Court, the Registrar of the Court and, when acting as the Registrar, the Deputy Registrar of the Court shall enjoy—

- (a) unless they are British citizens, British overseas territories citizens, British Overseas citizens, British Nationals (Overseas) or are permanently resident in the United Kingdom—
  - (i) the like immunity from suit and legal process as is accorded to or in respect of the head of a diplomatic mission; and
  - (ii) the like inviolability of residence as is accorded to or in respect of the head of a diplomatic mission; and
  - (iii) the like exemption or relief from local taxes (as described in the exception in Section A1 of Part II of Schedule 5 to the Scotland Act 1998) as is accorded to or in respect of the head of a diplomatic mission; and
- (b) immunity from suit and legal process in respect of words written or spoken and things done or omitted to be done by them in their official capacity.

4.—(1) Except in so far as in any particular case such immunity or privilege is waived by the Court sitting in plenary session, spouses (or civil partners) and any children (under 18 years of age) of judges of the Court shall enjoy—

- (a) the like immunity from suit and legal process as is accorded to or in respect of the head of a diplomatic mission;
- (b) the like inviolability of residence as is accorded to or in respect of the head of a diplomatic mission; and
- (c) the like exemption or relief from local taxes (as described in the exception in Section A1 of Part II of Schedule 5 to the Scotland Act 1998) as is accorded to or in respect of the head of a diplomatic mission.

(2) This paragraph shall not apply to any person who is a British citizen, a British Overseas territories citizen, a British Overseas citizen or a British National (Overseas).