



Diplomatic Privileges Act 1964

1964 CHAPTER 81

2 Application of Vienna Convention.

- (1) Subject to section 3 of this Act, the Articles set out in Schedule 1 to this Act (being Articles of the Vienna Convention on Diplomatic Relations signed in 1961) shall have the force of law in the United Kingdom and shall for that purpose be construed in accordance with the following provisions of this section.
- (2) In those Articles—
 - “agents of the receiving State” shall be construed as including any constable and any person exercising a power of entry to any premises under any enactment (including any enactment of the Parliament of Northern Ireland);
 - “national of the receiving State” shall be construed as meaning citizen of the United Kingdom and Colonies;
 - “Ministry for Foreign Affairs or such other ministry as may be agreed” shall be construed as meaning the department of the Secretary of State concerned;and, in the application of those Articles to Scotland, any reference to attachment or execution shall be construed as a reference to the execution of diligence, and any reference to the execution of a judgment as a reference to the enforcement of a decree by diligence.
- (3) For the purposes of Article 32 a waiver by the head of the mission of any State or any person for the time being performing his functions shall be deemed to be a waiver by that State.
- (4) The exemption granted by Article 33 with respect to any services shall be deemed to except those services from any class of employment [^{F1}in respect of which contributions or premiums are payable under the enactments relating to^{F2} social security, including enactments in force in Northern Ireland, but not so as to render any person liable to any contribution or premium] which he would not be required to pay if those services were not so excepted.
- (5) Articles 35, 36 and 40 shall be construed as granting any privilege or immunity which they require to be granted.

Changes to legislation: There are currently no known outstanding effects for the Diplomatic Privileges Act 1964, Section 2. (See end of Document for details)

- [^{F3}(5A) The reference in Article 36 to customs duties shall be construed as including a reference to excise duties chargeable on goods imported into the United Kingdom [^{F4}and to value added tax charged in accordance with section [^{F5}[^{F6}1(1)(c)] of the Value Added Tax Act 1994]]^{F7}(imposition of charge to value added tax on imported goods)]
- (6) The references in Articles 37 and 38 to the extent to which any privileges and immunities are admitted by the receiving State and to additional privileges and immunities that may be granted by the receiving State shall be construed as referring respectively to the extent to which any privileges and immunities may be specified by Her Majesty by Order in Council and to any additional privileges and immunities that may be so specified.

Textual Amendments

- F1** Words substituted (*prosp. as to words "or premiums" and "or premium"*) by Social Security Act 1973 (c. 38), **Sch. 27 para. 24**, S.I. 1974/164, art. 2(1), Sch. 1 and S.I. 1974/823, **art. 2(4)(a)(b)(iii)**, Sch.
- F2** Words repealed by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 1 Pt. I**
- F3** S. 2(5A) inserted by Customs and Excise Management Act 1979 (c. 2, SIF 40:1), s. 177(1), **Sch. 4 para. 3**
- F4** Words in s. 2(5A) inserted (1.1.1993) by Finance (No. 2) Act 1992 (c. 48), s. 14(2), **Sch. 3 para. 87**; S.I. 1992/3261, art. 3, **Sch.**
- F5** Words in s. 2(5A) substituted (1.9.1994) by 1994 c. 23, ss. 100(1), 101(1), **Sch. 14 para. 1**
- F6** Word in s. 2(5A) substituted (31.12.2020) by Taxation (Cross-border Trade) Act 2018 (c. 22), s. 57(3), **Sch. 8 para. 100(a)** (with savings and transitional provisions in S.I. 2019/105 (as amended by S.I. 2020/1495, regs. 1(2), 21), S.I. 2020/1545, Pt. 4 and 2020 c. 26, Sch. 2 para. 7(7)-(9)); S.I. 2020/1642, reg. 4(b) (with reg. 7)
- F7** Words in s. 2(5A) substituted (31.12.2020) by Taxation (Cross-border Trade) Act 2018 (c. 22), s. 57(3), **Sch. 8 para. 100(b)** (with savings and transitional provisions in S.I. 2019/105 (as amended by S.I. 2020/1495, regs. 1(2), 21), S.I. 2020/1545, Pt. 4 and 2020 c. 26, Sch. 2 para. 7(7)-(9)); S.I. 2020/1642, reg. 4(b) (with reg. 7)

Modifications etc. (not altering text)

- C1** S. 2(5A) applied (17.12.2020 for specified purposes, 31.12.2020 in so far as not already in force) by 1994 c. 23, **Sch. 9ZA para. 75(1)(a)** (as inserted by Taxation (Post-transition Period) Act 2020 (c. 26), s. 11(1)(e), Sch. 2 para. 2 (with s. 3(4), **Sch. 2 para. 7(7)-(10)**); S.I. 2020/1642, **reg. 9**)

Changes to legislation:

There are currently no known outstanding effects for the Diplomatic Privileges Act 1964, Section 2.