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STATUTORY INSTRUMENTS

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**1974 No. 1259**

**The South-East Asia Treaty Organisation  
(Immunities and Privileges) Order 1974**

PART IV

OFFICERS

*High Officers*

9.—(1) Except in so far as in any particular case any privilege or immunity is waived by the Council of the Organisation, and subject to the provisions of paragraph (2) of this Article, the Secretary-General and the Deputy Secretary-General shall enjoy:—

- (a) the like immunity from suit and legal process, the like inviolability of residence, and the like exemption or relief from taxes, other than customs duties and taxes on the importation of goods, and rates 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 their personal use or the use of members of their families forming part of their households, including articles intended for their 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 their 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 customs duty paid on any hydrocarbon oil (within the meaning of the Hydrocarbon Oil (Customs & Excise) Act 1971) which is bought in the United Kingdom by them or on their 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 by them for the Organisation 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;

provided that until the day appointed for the coming into force of section 2 of the Social Security Act 1973 the following shall apply in substitution for the foregoing provisions of this subparagraph—

“exemptions whereby for the purposes of the National Insurance Acts 1965 to 1973, the National Insurance (Industrial Injuries) Acts 1965 to 1973, any enactment for the

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time being in force amending any of those Acts, and any enactment of the Parliament of Northern Ireland corresponding to any of those Acts or to any enactment amending any of those Acts,—

(i) services rendered by them for the Organisation shall be deemed to be excepted from any class of employment which is insurable employment, or in respect of which contributions are required to be paid, but

(ii) no person shall be rendered liable to pay any contribution 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 citizen of the United Kingdom and Colonies or a permanent resident of the United Kingdom.

(3) Part IV of Schedule 1 to the Act shall not operate so as to confer any privilege or immunity on the families of persons to whom this Article applies.

#### *All Officers*

**10.** Except in so far as in any particular case any immunity or privilege is waived by the Secretary-General, officers of the Organisation (other than those who are locally recruited and assigned to hourly rates of pay) shall enjoy:—

(a) immunity from suit and legal process in respect of things done or omitted to be done by them in their official capacity;

(b) exemption from income tax in respect of emoluments received by them as officers of the Organisations; and

(c) the like exemption from customs duties and taxes on the importation of articles which—

(i) at or about the time when they first enter the United Kingdom to take up their posts as officers of the Organisation are imported for their personal use or that of members of their families forming part of their households, including articles intended for their establishment, and

(ii) are articles which were in their ownership or possession or that of such members of their families, or which they or such members of their families were under contract to purchase, immediately before they so entered the United Kingdom,

as in accordance with paragraph 1 of Article 36 of the 1961 Convention Articles is accorded to a diplomatic agent.