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STATUTORY INSTRUMENTS

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**2023 No. 837**

**The International Criminal Police Organisation  
(Immunities and Privileges) Order 2023**

**PART 3**

**Immunities, privileges, reliefs and exemptions of the Organisation**

**Immunity from jurisdiction**

**5.—(1)** Within the scope of its Official Activities, the Organisation has immunity from suit and legal process.

(2) Paragraph (1) does not apply in the case of—

- (a) a road traffic offence involving a motor vehicle belonging to the Organisation or operated on its behalf, or
- (b) a civil claim for damages resulting from an accident caused by a motor vehicle belonging to the Organisation or operated on its behalf.

(3) The property, funds and assets of the Organisation, wheresoever located in the United Kingdom and by whomsoever held, are immune from suit and legal process in respect of all forms of seizure, confiscation, requisition, expropriation or other interference by executive, administrative, judicial or legislative action.

**Inviolability of premises**

**6.—(1)** The premises of the Organisation have the like inviolability as, in accordance with the 1961 Convention Articles<sup>(1)</sup>, is accorded in respect of the premises of a diplomatic mission.

(2) Any person having the authority to enter any place under any legal provision shall not exercise that authority in respect of the premises of the Organisation unless permission to do so has been given by the Secretary General or by another designated person acting on behalf of the Secretary General.

(3) For the purpose of paragraph (2), permission may be presumed in the event of an uncontrolled fire or other similar disaster which immediately threatens public safety and requires prompt protective action, for the limited purpose of taking such protective action as may be necessary to remove the immediate threat to public safety.

(4) In this article, the “premises of the Organisation” means the land, buildings and parts of buildings in the United Kingdom used by the Organisation on a permanent or temporary basis in order to carry out its Official Activities.

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<sup>(1)</sup> Section 11(1) of the International Organisations Act 1968 defines “the 1961 Convention Articles” as the Articles (being certain Articles of the Vienna Convention on Diplomatic Relations signed in 1961) which are set out in Schedule 1 to the Diplomatic Privileges Act 1964.

### **Inviolability of archives**

7.—(1) The archives of the Organisation have the like inviolability as, in accordance with the 1961 Convention Articles, is accorded in respect of the official archives of a diplomatic mission.

(2) In this article, the “archives of the Organisation” means all records, correspondence, papers, documents, manuscripts, photographs, films, recordings, computer programmes, video tapes, discs and data, including in electronic form, or held in any other media, belonging to or held by the Organisation where related to its Official Activities and all information contained therein.

### **Taxes, rates, duties etc.**

8.—(1) Within the scope of its Official Activities, the Organisation is exempt from all direct taxation on its assets, property, income, gains, operations and transactions, except for the proportion of any business rates charged for specific public services rendered.

(2) The Organisation shall have relief under arrangements made by the Secretary of State by way of refund on car tax paid on any vehicles which are used for the Official Activities of the Organisation, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.

(3) The Organisation shall have relief under arrangements made by the Secretary of State by way of refund on value added tax paid on the purchase of any goods or services which are of substantial value and which are used for the Official Activities of the Organisation, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.

(4) The Organisation shall have relief by way of refund on insurance premium tax paid in the course of activities which are necessary for the exercise of the Official Activities of the Organisation.

(5) The Organisation shall have relief under arrangements made by the Commissioners of His Majesty’s Revenue and Customs by way of refund of duty (whether of customs or excise) paid on imported hydrocarbon oil (within the meaning of the Hydrocarbon Oil Duties Act 1979(2)) or value added tax paid on the importation of such oil which is purchased in the United Kingdom and which is used for the Official Activities of the Organisation, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.

### **Customs treatment**

9.—(1) The Organisation is exempt from duties (whether of customs or excise) and taxes on the importation of—

- (a) goods imported by the Organisation for its Official Activities, and
- (b) publications of the Organisation.

(2) The Organisation is exempt from all prohibitions and restrictions on the importation or exportation of—

- (a) goods imported or exported by the Organisation for its Official Activities, and
- (b) publications of the Organisation.

(3) This article does not apply in respect of firearms.