

**COMMONWEALTH SECRETARIAT (OFFICERS AND
SERVANTS) ACT**

Principal Act

Act. No. 1966-24

Commencement 7.10.1966
Assent 6.10.1966

Amending
enactments

Relevant current
provisions

Commencement
date

English sources:

Commonwealth Secretariat Act 1966 (1966 c,10).

EU Legislation/International Agreements involved:

ARRANGEMENT OF SECTIONS.

Section

1. Short title.
2. Interpretation.
3. Privileges and immunities of officers and servants of Commonwealth Secretariat.

SCHEDULE.

Immunities and Privileges.

AN ACT TO MAKE PROVISION WITH RESPECT TO OFFICERS AND SERVANTS OF THE COMMONWEALTH SECRETARIAT.

Short title.

1. This Act may be cited as the Commonwealth Secretariat (Officers and Servants) Act 1966.

Interpretation.

2. In this Act “the Commonwealth Secretariat” means the Commonwealth Secretariat established at the Commonwealth Prime Ministers’ Meeting of June, 1965.

Privileges and immunities of officers and servants of Commonwealth Secretariat.

3. Officers and servants of the Commonwealth Secretariat and members of their families shall have in Gibraltar the privileges and immunities conferred by Part I of the Schedule and the supplementary provisions in Part II of that Schedule shall have effect for the purposes of Part I.

SCHEDULE

Section 3

IMMUNITIES AND PRIVILEGES.

PART I.

THE STAFF OF THE SECRETARIAT.

1. Every senior officer of the Commonwealth Secretariat, who is a citizen of a country mentioned in Schedule 3 to the British Nationality Act 1981, and any member of his family forming part of his household, other than a member who is a British citizen, British Dependent Territories citizen or British Overseas citizen shall, if permanently resident outside Gibraltar, have the like privilege and immunities as are accorded by law to a diplomatic agent and the members of his family forming part of his household, except that any such person shall not be exempt from liability for income tax in respect of any salary or emoluments payable to him by the Commonwealth Secretariat.

2. Every officer and servant of the Commonwealth Secretariat not falling within paragraph I of this Schedule shall have—

- (a) immunity from suit and legal process in respect of acts or omissions of his in the course of the performance of official duties, except immunity from suit and legal process in respect of a civil action for damage alleged to have been caused by a motor vehicle belonging to or driven by him, or in respect of a motor traffic offence involving such a vehicle; and
- (b) the like inviolability for all his official papers and documents as is accorded by law to the diplomatic agent of a sending State.

PART II.

SUPPLEMENTAL.

1. The privileges and immunities conferred by this Schedule on officers and servants of the Commonwealth Secretariat and members of their families may be waived by the Secretary General or any person for the time being exercising his functions.

2. If in any proceeding any question arises whether or not any person is entitled to any privilege or immunity under this Schedule, a certificate issued by or under the authority of the Secretary of State stating any fact relevant to that question shall be conclusive evidence of that fact.

3. In this Schedule—

“senior officer”, in relation to the Commonwealth Secretariat, means an officer of the Secretariat recognised by the Secretary of State as being a senior officer of the Secretariat.