

The Laws of Zambia

REPUBLIC OF ZAMBIA

THE DIPLOMATIC IMMUNITIES AND PRIVILEGES ACT

CHAPTER 20 OF THE LAWS OF ZAMBIA

CHAPTER 20 THE DIPLOMATIC IMMUNITIES AND PRIVILEGES ACT

THE DIPLOMATIC IMMUNITIES AND PRIVILEGES ACT

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CHAPTER 20

DIPLOMATIC IMMUNITIES AND PRIVILEGES

30 of 1965
12 of 1977
13 of 1994

An Act to give effect to the Vienna Convention on Diplomatic Relations; to provide for the immunities, privileges and capacities of certain international organisations and persons connected therewith, of representatives of other States attending international conferences and of consular officers and certain other persons; and to provide for purposes connected with the foregoing.

[4th June, 1965]

1. This Act may be cited as the Diplomatic Immunities and Privileges Act. Short title
2. (1) In this Act, unless the context otherwise requires- Interpretation
- "consular employee" means any person other than a consular officer employed in the administrative or technical service of a consulate;
- "consular officer" means any person appointed as consul-general, consul, vice-consul or consular agent by a foreign State and holding a valid exequatur or other authorisation to act in Zambia in that capacity;
- "sending State" means the State by whom a diplomatic agent is appointed;
- "the Vienna Convention" means the Vienna Convention on Diplomatic Relations signed in Vienna on the 18th April, 1961.
- (2) References in this Act to "Commonwealth country" shall be construed as references to any of the following countries, that is to say, Australia, Antigua and Bermuda, Bahamas, Bangladesh, Barbados, Belize, Botswana, Brunei, Cameroon, Canada, Cayman Islands, Cyprus, Dominica, Gambia, Ghana, Gibraltar, Grenada, Guyana, India, Jamaica, Kenya, Kiribati, Lesotho, Malawi, Malaysia, Maldives, Malta, Mauritius, Namibia, Nauru, New Zealand, Nigeria, Papua New Guinea, Seychelles, Sierra Leone, Singapore, Sri Lanka, Solomon, South Africa, St. Christopher and Nevis, St. Vincent, Swaziland, Tanzania, Tonga, Trinidad and Tobago, Tuzalu, Uganda, United Kingdom, Vannatu, Western Samoa, Zambia, Zimbabwe
- (3) References in this Act to "consular officer" shall be construed as including persons in the service of any Commonwealth country holding such offices or classes of offices as may be specified by the Minister by statutory notice, being offices or classes of offices appearing to the Minister to involve the performance of duties substantially corresponding to those which, in the case of a foreign State, would be performed by a consular officer and references to "consulate" shall be construed accordingly.
3. (1) Subject to the provisions of section *twelve*, the Articles of the Vienna Convention set out in the First Schedule shall have the force of law in Zambia and shall for that purpose be construed in accordance with the following provisions of this section. Application of the Vienna Convention
- (2) In those Articles-
- "agents of the receiving State" shall be construed as including any member of the Zambia Police Force and any person exercising a power of entry to any premises under any written law;
- "national of the receiving State" shall be construed as meaning citizen of Zambia;
- "the receiving State" shall be construed as meaning the Republic.
- (3) Articles 35 and 36 shall be construed as granting any immunity or privilege which they require to be granted.

(4) The reference in Article 37 to the extent to which any privileges and immunities are admitted by the receiving State shall be construed as referring to the extent to which any immunities and privileges may be specified by the President by order.

4. (1) This section shall apply to any organisation which the President may by statutory order declare to be an organisation of which the Republic or the Government and one or more other States or the government or governments thereof are members.

Immunities, privileges and capacities of certain international organisations and persons connected therewith

(2) The President may by statutory order-

- (a) provide that any organisation to which this section applies (hereinafter referred to as "the organisation") shall, to such extent as may be specified in the order, have the immunities and privileges set out in Part I of the Second Schedule, and shall also have the legal capacities of a body corporate;
- (b) confer upon-
 - (i) any persons who are representatives (whether of governments or not) on any organ of the organisation or are members of any committee of the organisation or of an organ thereof;
 - (ii) such number of officers of the organisation as may be specified in the order, being the holders of such high offices in the organisation as may be so specified; and
 - (iii) such persons employed on missions on behalf of the organisation as may be so specified;

to such extent as may be specified in the order, the immunities and privileges set out in Part II of the Second Schedule;

- (c) confer upon such other classes of officers and servants of the organisations as may be specified in the order, to such extent as may be so specified, the immunities and privileges set out in Part III of the Second Schedule;

and Part IV of the Second Schedule shall have effect for the purpose of extending to the staff of such representatives and members as are mentioned in sub-paragraph (i) of paragraph (b) and to the families of officers of the organisation any immunities and privileges conferred on the representatives, members or officers under that paragraph, except in so far as the operation of the said Part IV is excluded by the order conferring the immunities and privileges.

(3) An order made under this section may, notwithstanding any provision of any written law, including this Act, confer on any organisation or person any immunities or privileges which are required to be conferred on that organisation or person in order to give effect to any international agreement in that behalf, but shall not confer any immunities or privileges greater in extent than those so required as aforesaid or confer any immunity or privilege upon any person as the representative of the Government of Zambia or as a member of the staff of such a representative.

5. (1) The President may by statutory order confer on the judges and registrars of the International Court, and on suitors to that Court and their agents, counsel and advocates, such immunities, privileges and facilities as may be required to give effect to any resolution of, or convention approved by, the General Assembly of the United Nations.

Immunities and privileges of judges of, and suitors to, the International Court of Justice

(2) In this section, "International Court" means the International Court of Justice set up under the Charter of the United Nations.

6. Where a conference is held in Zambia and is attended by the representatives of the Government and the government or governments of one or more other States, and it appears to the Minister that doubts may arise as to the extent to which a representative of the government of any such State and members of his official staff are entitled to diplomatic immunities, he may-

Diplomatic immunities of representatives attending international conferences

- (a) compile a list of the persons aforesaid who are entitled to such immunities and cause that list to be published in the *Gazette*; and
- (b) whenever it appears to the Minister that any person ceases or begins to be entitled to such immunities, amend the list and cause a notice of the amendment or, if he thinks fit, an amended list, to be published as aforesaid;

and every representative of the government of such State who is for the time being included in the list, and such of the members of his official staff as are for the time being included in the list, shall be entitled to the like immunities as are accorded to a diplomatic agent of a sending State accredited to Zambia and to members of the official staff of such a diplomatic agent respectively.

7. Subject to the provisions of this Act, a consular officer and a consular employee (other than persons on whom immunities and privileges are conferred by virtue of section *three*) shall be entitled to immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of his official duties as such, and to such inviolability of official archives and official correspondence as is necessary to comply with the terms of any treaty or other international agreement applicable to Zambia or as is recognised by the principles of customary international law and usage.

Immunities and privileges of consulates and persons connected therewith

8. (1) The President may by order direct that this section shall apply to any State specified in the order, being a State with which a treaty or other international agreement applicable to Zambia is in force providing for matters for which provision is made by this section.

Restriction of power of entry in relation to consular offices

(2) Subject to the provisions of subsection (4), a consular office of a State to which this section applies shall not be entered by a police officer or other person acting in the execution of any warrant or other legal process or in the exercise of a power of entry under any written law, except with the consent of the consular officer or of his nominee or, if that consent is withheld or cannot be obtained, with the consent of the Minister:

Provided that this subsection shall not apply to any consular office which for the time being is in charge of a consular officer who is a citizen of Zambia or is permanently resident in Zambia.

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(3) The consent of a consular officer or person referred to in subsection (2) shall be presumed in the event of fire or other disaster or in the event that the police officer has reasonable cause to believe that a crime involving violence has been or is being or is about to be committed in the consular office.

(4) In this section, "consular office" means any building or part of a building which is occupied exclusively for the purposes of the official business of a consular officer.

9. Subject to the provisions of this Act, the Minister may by order to the extent specified therein exempt any consular officer or consular employee from taxes, duties, rates, fees or other dues levied by the Government or a local authority:

Exemption from taxation of consular officers and consular employees

Provided that this section shall not apply to any consular officer or consular employee who is a citizen of Zambia or is permanently resident in Zambia.

10. (1) The government of the State by which a consular officer or consular employee was appointed may waive any immunity conferred on that consular officer or consular employee by or under this Act.

Waiver of immunities of consular officers and consular employees

(2) Waiver under this section shall be express and shall be communicated to the Government of Zambia in writing.

11. In the absence of an express agreement as to the size of a consulate in Zambia, the Government of Zambia may require that the size of the consulate be kept within limits considered by it to be reasonable and normal, having regard to circumstances and conditions in Zambia and to the needs of the consulate.

Size of consulate

12. (1) If it appears to the President that the immunities and privileges accorded to a mission or consulate of the Republic in the territory of any State, or to persons connected with that mission or consulate, are less than those conferred by this Act on the mission or consulate of that State or on persons connected with that mission or consulate, the President may by order withdraw such of the immunities and privileges so conferred from the mission or consulate of that State or from such persons connected therewith as appears to the President to be proper.

Restriction of immunities and privileges

(2) Nothing in this Act shall be construed as precluding the President from declining to accord immunities or privileges to, or withdrawing immunities or privileges from, nationals or representatives of any State on the ground that that State is failing to accord corresponding immunities or privileges to citizens or representatives of Zambia.

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12A. Notwithstanding anything to the contrary contained in this Act, the President may, if he deems it expedient so to do in the interests of equitable distribution of goods, by statutory order, prescribe the maximum amount of any goods specified in such order which may be supplied free of tax, for any period named in such order, to any organisation, mission, consulate or other person to whom such privileges are accorded by or under the provisions of this Act.

Power to control supplies of tax-free goods

(As amended by Act. No. 12 of 1977)

13. The minister shall compile a list of the persons appearing to him to be entitled to immunities or privileges by or under the provisions of this Act, except-

Publication of lists of persons entitled to immunity

(a) children under the age of eighteen years of a person so entitled;

(b) any person whose name appears on a list published under section six;

and he shall from time to time amend the list and shall cause the list and any amendment of the list or any amended list to be published in the *Gazette*.

14. (1) The Minister or a person authorised by him in that behalf shall issue an identity card in a form approved by the Minister to any person who is entitled to immunities or privileges under this Act.

Identity cards

(2) When the person to whom an identity card was issued under subsection (1) ceases to be entitled to the immunities and privileges accorded to him under this Act, the identity card issued to him shall thereupon have no effect.

(3) Subject to the provisions of this Act, any person who is in unlawful possession of or makes use of an identity card issued to any other person under this section shall be guilty of an offence and be liable to a fine not exceeding three thousand penalty units or to imprisonment for a term not exceeding six months, or to both.

(As amended by Act. No. 13 of 1994)

15. If in any proceedings any question arises whether or not any person is entitled to immunities or privileges by or under the provisions of this Act, a certificate issued by or under the authority of the Minister stating any fact relevant to that question shall be conclusive evidence of that fact.

Evidence

16. (1) Any article which on importation is exempted from customs duty under the provisions of Article 36 of the Vienna Convention or any order made under section four or nine shall not be sold or otherwise disposed of to a person who is not entitled to the exemption granted by that Article or order except with the consent of the Controller of Customs and Excise and upon the payment to him of customs duty.

Special provisions relating to customs duty

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(2) Any exemption from customs duty granted to any person under this Act shall not be construed as exempting that person from compliance with the formalities in respect of the importation of goods which are prescribed in any written law relating to customs.

17. The Minister may be statutory notice-

- (a) add to or vary the list of Commonwealth countries for the purposes of this Act;
- (b) specify the offices or classes of offices held by persons in the service of any Commonwealth country which appear to him to involve the performance of duties substantially corresponding to those which, in the case of a foreign State, would be performed by consular officers.

Power of Minister to add to or vary list of Commonwealth countries and to specify offices corresponding to consular offices

18. (1) The Immunities and Privileges Act, 1956, is repealed.

Repeal and saving.
Federal Act 31 of 1956

(2) Where there is any conflict or inconsistency between any provision of this Act or order made thereunder and any provision of any other written law, then the provision of this Act or order made thereunder shall prevail and the provision of that other written law shall, to the extent of the conflict or inconsistency, have no effect.

(3) Nothing in this Act or order made thereunder shall affect the provisions of the Consular Conventions Act.

Cap. 21

FIRST SCHEDULE

(Section 3)

ARTICLES OF THE VIENNA CONVENTION HAVING THE FORCE OF LAW IN ZAMBIA

Article 1

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For the purpose of the present Convention, the following expressions shall have the meaning hereunder assigned to them:

- (a) the "head of the mission" is the person charged by the sending State with the duty of acting in that capacity;
- (b) the "members of the mission" are the head of the mission and the members of the staff of the mission;
- (c) the "members of the staff of the mission" are members of the diplomatic staff, of the administrative and technical staff and of the service staff of the mission;
- (d) the "members of the diplomatic staff" are the members of the staff of the mission having diplomatic rank;
- (e) a "diplomatic agent" is the head of the mission or a member of the diplomatic staff of the mission;
- (f) the "members of the administrative and technical staff" are the members of the staff of the mission employed in the administrative and technical service of the mission;
- (g) the "members of the service staff" are the members of the staff of the mission in the domestic service of the mission;
- (h) a "private servant" is a person who is in the domestic service of a member of the mission and who is not an employee of the sending State;
- (i) the "premises of the mission" are the building or parts of buildings and the land ancillary thereto, irrespective of ownership, used for the purposes of the mission including the residence of the head of the mission.

Article 11

1. In the absence of specific agreement as to the size of the mission, the receiving State may require that the size of a mission be kept within limits considered by it to be reasonable and normal, having regard to circumstances and conditions in the receiving State and to the needs of the particular mission.

2. The receiving State may equally, within similar bounds and on a non-discriminatory basis, refuse to accept officials of a particular category.

Article 22

1. The premises of the mission shall be inviolable. The agents of the receiving State may not enter them, except with the consent of the head of the mission.

2. The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.

3. The premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution.

Article 23

1. The sending State and the head of the mission shall be exempt from all national, regional or municipal dues and taxes in respect of the premises of the mission, whether owned or leased, other than such as represent payment for specific services rendered.

2. The exemption from taxation referred to in this Article shall not apply to such dues and taxes payable under the law of the receiving State by persons contracting with the sending State or the head of the mission.

Article 24

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The archives and documents of the mission shall be inviolable at any time and wherever they may be.

Article 27

1. The receiving State shall permit and protect free communication on the part of the mission for all official purposes. In communicating with the Government and the other missions and consulates of the sending State, wherever situated, the mission may employ all appropriate means, including diplomatic couriers and messages in code or cipher. However, the mission may install and use a wireless transmitter only with the consent of the receiving State.

2. The official correspondence of the mission shall be inviolable. Official correspondence means all correspondence relating to the mission and its functions.

3. The diplomatic bag shall not be opened or detained.

4. The packages constituting the diplomatic bag must bear visible external marks of their character and may contain only diplomatic documents or articles intended for official use.

5. The diplomatic courier, who shall be provided with an official document indicating his status and the number of packages constituting the diplomatic bag, shall be protected by the receiving State in the performance of his functions. He shall enjoy personal inviolability and shall not be liable to any form of arrest or detention.

6. The sending State or the mission may designate diplomatic couriers *ad hoc*. In such cases the provisions of paragraph 5 of this Article shall also apply, except that the immunities therein mentioned shall cease to apply when such a courier has delivered to the consignee the diplomatic bag in his charge.

7. A diplomatic bag may be entrusted to the captain of a commercial aircraft scheduled to land at an authorised port of entry. He shall be provided with an official document indicating the number of packages constituting the bag but he shall not be considered to be a diplomatic courier. The mission may send one of its members to take possession of the diplomatic bag directly and freely from the captain of the aircraft.

Article 28

The fees and charges levied by the mission in the course of its official duties shall be exempt from all dues and taxes.

Article 29

The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity.

Article 30

1. The private residence of a diplomatic agent shall enjoy the same inviolability and protection as the premises of the mission.

2. His papers, correspondence and, except as provided in paragraph 3 of Article 31, his property, shall likewise enjoy inviolability.

Article 31

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1. A diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving State. He shall also enjoy immunity from its civil and administrative jurisdiction, except in the case of:

- (a) a real action relating to private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission;
- (b) an action relating to succession in which the diplomatic agent is involved as executor, administrator, heir or legatee as a private person and not on behalf of the sending State;
- (c) an action relating to any professional or commercial activity exercised by the diplomatic agent in the receiving State outside his official functions.

2. A diplomatic agent is not obliged to give evidence as a witness.

3. No measures of execution may be taken in respect of a diplomatic agent except in the cases coming under sub-paragraphs (a), (b) and (c) of paragraph 1 of this Article, and provided that the measures concerned can be taken without infringing the inviolability of his person or of his residence.

4. The immunity of a diplomatic agent from the jurisdiction of the receiving State does not exempt him from the jurisdiction of the sending State.

Article 32

1. The immunity from jurisdiction of diplomatic agents and of persons enjoying immunity under Article 37 may be waived by the sending State.

2. The waiver must always be express.

3. The initiation of proceedings by a diplomatic agent or by a person enjoying immunity from jurisdiction under Article 37 shall preclude him from invoking immunity from jurisdiction in respect of any counterclaim directly connected with the principal claim.

4. Waiver of immunity from jurisdiction in respect of civil or administrative proceedings shall not be held to imply waiver of immunity in respect of the execution of the judgment, for which a separate waiver shall be necessary.

Article 33

1. Subject to the provisions of paragraph 3 of this Article a diplomatic agent shall with respect to services rendered for the sending State be exempt from social security provisions which may be in force in the receiving State.

2. The exemption provided for in paragraph 1 of this Article shall also apply to private servants who are in the sole employ of a diplomatic agent, on condition:

- (a) that they are not nationals of or permanently resident in the receiving State; and
- (b) that they are covered by the social security provisions which may be in force in the sending State or a third State.

3. A diplomatic agent who employs persons to whom the exemption provided for in paragraph 2 of this Article does not apply shall observe the obligations which the social security provisions of the receiving State impose upon employers.

4. The exemption provided for in paragraphs 1 and 2 of this Article shall not preclude voluntary participation in the social security system of the receiving State provided that such participation is permitted by that State.

5. The provisions of this Article shall not affect bilateral or multilateral agreements concerning social security concluded previously and shall not prevent the conclusion of such agreements in the future.

Article 34

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A diplomatic agent shall be exempt from all dues and taxes, personal or real, national, regional or municipal, except:

- (a) indirect taxes of a kind which are normally incorporated in the price of goods or services;
- (b) dues and taxes on private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission;
- (c) estate, succession or inheritance duties levied by the receiving State, subject to the provisions of paragraph 4 of Article 39;
- (d) dues and taxes on private income having its source in the receiving State and capital taxes on investments made in commercial undertakings in the receiving State;
- (e) charges levied for specific services rendered;
- (f) registration, court or record fees, mortgage dues and stamp duty, with respect to immovable property, subject to the provisions of Article 23.

Article 35

The receiving State shall exempt diplomatic agents from all personal services, from all public service of any kind whatsoever, and from military obligations such as those connected with requisitioning, military contributions and billeting.

Article 36

1. The receiving State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes, and related charges other than charges for storage, cartage and similar services, on:

- (a) articles for the official use of the mission;
- (b) articles for the personal use of a diplomatic agent or members of his family forming part of his household, including articles intended for his establishment.

2. The personal baggage of a diplomatic agent shall be exempt from inspection, unless there are serious grounds for presuming that it contains articles not covered by the exemptions mentioned in paragraph 1 of this Article, or articles the import or export of which is prohibited by the law or controlled by the quarantine regulations of the receiving State. Such inspection shall be conducted only in the presence of the diplomatic agent or of his authorised representative.

Article 37

1. The members of the family of a diplomatic agent forming part of his household shall, if they are not nationals of the receiving State, enjoy the privileges and immunities specified in Articles 29 to 36.

2. Members of the administrative and technical staff of the mission, together with members of their families forming part of their respective households, shall, if they are not nationals of or permanently resident in the receiving State, enjoy the privileges and immunities specified in Articles 29 to 35, except that the immunity from civil and administrative jurisdiction of the receiving State specified in paragraph 1 of Article 31 shall not extend to acts performed outside the course of their duties. They shall also enjoy the privileges specified in Article 36, paragraph 1, in respect of articles imported at the time of first installation.

3. Members of the service staff of the mission who are not nationals of or permanently resident in the receiving State shall enjoy immunity in respect of acts performed in the course of their duties, exemption from dues and taxes on the emoluments they receive by reason of their employment and the exemption contained in Article 33.

4. Private servants of members of the mission shall, if they are not nationals of or permanently resident in the receiving State, be exempt from dues and taxes on the emoluments they receive by reason of their employment. In other respects, they may enjoy privileges and immunities only to the extent admitted by the receiving State. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

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Article 38

1. Except in so far as additional privileges and immunities may be granted by the receiving State, a diplomatic agent who is a national of or permanently resident in that State shall enjoy only immunity from jurisdiction, and inviolability, in respect of official acts performed in the exercise of his functions.

2. Other members of the staff of the mission and private servants who are nationals of or permanently resident in the receiving State shall enjoy privileges and immunities only to the extent admitted by the receiving State. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

Article 39

1. Every person entitled to privileges and immunities shall enjoy them from the moment he enters the territory of the receiving State on proceeding to take up his post or, if already in its territory, from the moment when his appointment is notified to the Ministry for Foreign Affairs or such other ministry as may be agreed.

2. When the functions of a person enjoying privileges and immunities have come to an end, such privileges and immunities shall normally cease at the moment when he leaves the country, or on expiry of a reasonable period in which to do so, but shall subsist until that time, even in case of armed conflict. However, with respect to acts performed by such a person in the exercise of his functions as a member of the mission, immunity shall continue to subsist.

3. In case of the death of a member of the mission, the members of his family shall continue to enjoy the privileges and immunities to which they are entitled until the expiry of a reasonable period in which to leave the country.

4. In the event of the death of a member of the mission not a national of or permanently resident in the receiving State or a member of his family forming part of his household, the receiving State shall permit the withdrawal of the movable property of the deceased, with the exception of any property acquired in the country the export of which was prohibited at the time of his death. Estate, succession and inheritance duties shall not be levied on movable property the presence of which in the receiving State was due solely to the presence there of the deceased as a member of the mission or as a member of the family of a member of the mission.

SECOND SCHEDULE

(Section 4)

INTERNATIONAL ORGANISATIONS AND PERSONS CONNECTED THEREWITH

PART I

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IMMUNITIES AND PRIVILEGES OF THE ORGANISATION

1. Immunity from suit and legal process.

2. The like inviolability of official archives and premises occupied as offices as is accorded in respect of the official archives and premises of a diplomatic agent of a sending State accredited to Zambia.

3. The like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a sending State.

4. Exemption from taxes on the importation of goods directly imported by the organisation for its official use in Zambia or for exportation, or on the importation of any publications of the organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Controller of Customs and Excise may prescribe for the protection of the revenue.

5. Exemption from prohibitions and restrictions on importation or exportation in the case of goods imported or exported by the organisation for its official use and in the case of any publications of the organisation directly imported or exported by it.

6. The right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside Zambia), of any reduced rates applicable for the corresponding service in the case of press telegrams.

PART II

IMMUNITIES AND PRIVILEGES OF REPRESENTATIVES, MEMBERS OF COMMITTEES, HIGH OFFICERS AND PERSONS ON MISSIONS

1. The like immunity from suit and legal process as is accorded to a diplomatic agent.

2. The like inviolability of residence as is so accorded to such a diplomatic agent.

3. The like exemption or relief from taxes as is so accorded to such a diplomatic agent.

PART III

IMMUNITIES AND PRIVILEGES OF OTHER OFFICERS AND SERVANTS

1. Immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties.

2. Exemption from income tax in respect of emoluments received as an officer or servant of the organisation.

PART IV

IMMUNITIES AND PRIVILEGES OF OFFICIAL STAFFS AND OF HIGH OFFICERS' FAMILIES

1. Where any person is entitled to any such immunities and privileges as are mentioned in Part II as a representative on any organ of the organization or a member of any committee of the organisation or of an organ thereof, his official staff accompanying him as such a representative or member shall also be entitled to those immunities and privileges to the same extent as the retinue of a diplomatic agent of a sending State accredited to Zambia is entitled to the immunities and privileges accorded to the diplomatic agent.

2. Where any person is entitled to any such immunities and privileges as are mentioned in Part II as an officer of the organisation, that person's wife or husband and children under the age of twenty-one years shall also be entitled to those immunities and privileges to the same extent as the wife or husband and children of a diplomatic agent of a sending State accredited to Zambia are entitled to the immunities and privileges accorded to the diplomatic agent.

SUBSIDIARY LEGISLATION

DIPLOMATIC IMMUNITIES AND PRIVILEGES

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (UNITED NATIONS) ORDER

*Statutory Instrument
355 of 1966*

Order by the President

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| <p>1. This Order may be cited as the Diplomatic Immunities and Privileges (United Nations) Order.</p> | Title |
| <p>2. The United Nations is hereby declared to be an organisation of which the Government and the governments of other States are members.</p> | Declaration of organisation |
| <p>3. The United Nations shall have the legal capacities of a body corporate.</p> | Body corporate |
| <p>4. Except in so far as any particular case it has expressly waived its immunity, the United Nations shall have immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.</p> | Immunity from suit and legal process |
| <p>5. The United Nations shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of the official archives and official premises of a diplomatic agent of a sending State accredited to Zambia.</p> | Inviolability of official archives and premises |
| <p>6. The United Nations shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a sending State.</p> | Relief from taxes and rates |
| <p>7. The United Nations shall have exemption from taxes on the importation of goods directly imported by the United Nations for its official use in Zambia or for exportation, or on the importation of any publication of the organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Controller of Customs and Excise may prescribe for the protection of the revenue.</p> | Exemption from taxes on importation or exportation of goods, subject to certain conditions |
| <p>8. The United Nations shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the United Nations for its official use and in the case of any publications of the United Nations directly imported or exported by it.</p> | Exemption from prohibitions and restrictions |

The Laws of Zambia

9. The United Nations shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside Zambia), or any reduced rates applicable for the corresponding service in the case of press telegrams.

Reduced rates for certain telegraphic communications

10. For the purpose of the application of this Order, the organisation entitled United Nations shall include all of its organs, commissions, boards and other constituent parts however styled.

United Nations to include constituent parts

11. Except in so far as in any particular case any immunity or privilege is waived by the governments concerned, representatives of the governments of members on any organ of the United Nations or at any conference convened by the United Nations shall enjoy-

Immunities and privileges of representatives of governments of members

- (a) while exercising their functions as such and during their journey to and from the place of meeting, the like immunity from personal arrest or detention and from seizure of their personal baggage and the like inviolability for all papers and documents as are accorded to a diplomatic agent of a sending State accredited to Zambia;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives;
- (c) while exercising their functions as such and during their journey to and from the place of meeting, the like exemption from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage.

12. For the purpose of the application of this Order, the expression "representatives of the governments of members" shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations, but shall not include any person who is the representative of the Government of Zambia or any member of the staff of such a representative.

Interpretation

13. Except in so far as in any particular case any immunity or privilege is waived by the Secretary General or the Security Council of the United Nations, the Secretary General, all Personal Representatives of the Secretary General, all Under-Secretaries General of the United Nations and all Assistant Secretaries General of the United Nations, and officers of equivalent rank shall be accorded in respect of themselves, their spouses and children under the age of twenty-one the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, his spouse and children. They shall enjoy exemption from income tax only in respect of emoluments received by them as officers of the United Nations.

Immunities and privileges of high officials of United Nations

The Laws of Zambia

- 14.** Except in so far as in any particular case any immunity or privilege is waived by the Secretary General of the United Nations, persons employed on missions on behalf of the United Nations shall enjoy-
- Immunities and privileges of persons employed on missions
- (a) while performing their missions and during journeys in connection therewith, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents relating to the work of the United Nations;
 - (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions;
 - (c) exemption from income tax in respect of emoluments received by them for services while performing their functions as officers of the United Nations.

- 15.** Except in so far as in any particular case any immunity or privilege is waived by the Secretary General of the United Nations, all officials of the United Nations (other than those referred to in paragraph 13 above) shall enjoy-
- Immunities and privileges of other officials of United Nations
- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties;
 - (b) exemption from income tax in respect of emoluments received by them as officers or servants of the United Nations;
 - (c) the right to import free of duty their furniture and effects at the time of first taking up their post in Zambia.

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (WORLD HEALTH ORGANISATION) ORDER

Statutory Instrument
354 of 1966

Order by the President

- 1.** This Order may be cited as the Diplomatic Immunities and Privileges (World Health Organisation) Order. Title
- 2.** The World Health Organisation is an organisation of which the Government of the Republic of Zambia and the governments of other States are members. Declaration of organisation
- 3.** The Organisation shall have the legal capacities of a body corporate. Body corporate
- 4.** Except in so far as in any particular case it has expressly waived its immunity, the Organisation shall have immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution. Immunity from suit and legal process
- 5.** The Organisation shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of the official archives and official premises of a diplomatic agent of a sending State accredited to Zambia. Inviolability of official archives and premises

The Laws of Zambia

6. The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a sending State.

Relief from taxes and rates

7. The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in Zambia or for exportation, or on the importation of any publication of the Organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Controller of Customs and Excise may prescribe for the protection of the revenue.

Exemption from taxes on importation or exportation of goods, subject to certain conditions

8. The Organisation shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Organisation for its official use and in the case of any publication of the Organisation directly imported or exported by it.

Exemption from prohibitions and restrictions

9. The Organisation shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside Zambia), of any reduced rates applicable for the corresponding service in the case of press telegrams.

Reduced rates for certain telegraphic communications

10. (1) Except in so far as in any particular case any privilege or immunity is waived, in the case of representatives of the governments of members, by the governments whom they represent, and in the case of persons designated to serve on the Executive Board of the Organisation, their alternates and advisers, by the Executive Board of the Organisation, representatives of the governments of members, and persons designated to serve on the Executive Board of the Organisation, their alternates and advisers shall enjoy-

Immunities and privileges of representatives of governments of members, etc.

- (a) while exercising their functions as such and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives;
- (c) while exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage.

(2) For the purpose of the application of this Order, the expression "representatives of the governments of members" shall be deemed to include their official staffs accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations, but shall not include any person who is the representative of the Government of Zambia or any member of the staff of such a representative.

The Laws of Zambia

11. Except in so far as in any particular case any immunity or privilege is waived by the Organisation, the Director-General, any Deputy Director-General, Assistant Director-General and Regional Director of the Organisation shall be accorded in respect of themselves, their spouses and children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, his spouse and children. They shall enjoy exemption from income tax only in respect of emoluments received by them as officers of the Organisation.

Immunities and privileges of high officials of Organisation

12. Except in so far as in any particular case any immunity or privilege is waived by the Organisation, persons (other than officials of the Organisation) serving on committees of, or employed on missions on behalf of, the Organisation shall enjoy-

Immunities and privileges of persons employed on missions

- (a) while exercising their functions as such and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents relating to the work of the Organisation;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions. Such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Organisation;
- (c) exemption from income tax in respect of emoluments received by them for services while performing their functions as officers of the Organisation.

13. Except in so far as in any particular case any immunity or privilege is waived by the Organisation, all officials of the Organisation (other than those referred to in paragraph 11 above) shall enjoy-

Immunities and privileges of other officials of Organisation

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties;
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation;
- (c) the right to import free of duty their furniture and effects at the time of first taking up their post in Zambia.

SECTION 5-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (INTERNATIONAL COURT OF JUSTICE) ORDER

Statutory Instrument
356 of 1966

Order by the President

WHEREAS by section five of the Diplomatic Immunities and Privileges Act, it is enacted that the President may by order confer on the judges and registrar of the International Court, and on suitors to that Court and their agents, counsel and advocates, such immunities and privileges as may be required to give effect to any resolution of, or convention approved by, the General Assembly of the United Nations;

AND WHEREAS the General Assembly of the United Nations, on the 11th December, 1946, adopted a resolution concerning the immunities and privileges of the International Court of Justice;

NOW, THEREFORE, in exercise of the powers conferred upon him by the said section the President hereby makes the following Order:

1. This Order may be cited as the Diplomatic Immunities and Privileges (International Court of Justice) Order. Title

2. Except in so far as in any particular case any immunity or privilege is waived by the Court, the judges and registrar of the International Court of Justice (including any officer of the Court acting as registrar) shall, when engaged on the business of the Court and during any journey to and from the place where the Court is sitting in connection with such business, enjoy the like immunity from suit and legal process and the like inviolability of residence and also, unless they are citizens of Zambia whose usual place of abode is in Zambia, the like exemption or relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia. Immunities and privileges of judges and registrar

3. The judges and registrar of the International Court of Justice shall enjoy exemption from income tax in respect of all emoluments received by them as judges or registrar. Exemption from income tax

4. (1) Except in so far as in any particular case any privilege or immunity is waived by the government they represent before the Court, the agents, counsel and advocates of parties before the Court shall enjoy-
 - (a) when engaged on their missions before the Court and during their journeys to and from the place where the Court is sitting in connection with such missions, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability for all papers and documents;
 - (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in this capacity;
 - (c) when engaged on their missions before the Court and during their journeys to and from the place where the Court is sitting in connection with such mission, the like exemption or relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, save that the relief allowed shall not include relief from customs or excise duties except in respect of goods imported as part of their personal baggage. They shall not, where incidence of any form of tax depends upon residence, be deemed to be resident in Zambia during any period when they are present in Zambia while exercising these functions or during their journey to and from the place of meeting. The provisions of this sub-paragraph shall not apply to citizens of Zambia whose usual place of abode is in Zambia.

- (2) This paragraph shall not apply to any person acting on behalf of the Government of Zambia or to any person permanently resident in Zambia acting on behalf of any other government.

The Laws of Zambia

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (ORGANISATION OF AFRICAN UNITY) ORDER.

*Statutory Instrument
48 of 1976*

Order by the President

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| <p>1. This Order may be cited as the Diplomatic Immunities and Privileges (Organisation of African Unity) Order.</p> | Title |
| <p>2. The Organisation of African Unity (hereinafter referred to as "the Organisation") is hereby declared to be an organisation of which the Government and certain other States are members.</p> | Declaration under section 4, Cap. 20 |
| <p>3. The Organisation shall have the legal capacity of a body corporate.</p> | Legal capacity |
| <p>4. Except in so far as in any particular case it has expressly waived its immunity, the Organisation shall have immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution.</p> | Immunity from suit and legal process |
| <p>5. The Organisation shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of a diplomatic agent of a sending State accredited to Zambia.</p> | Inviolability of official archives and premises |
| <p>6. The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a sending State.</p> | Relief from taxes and rates |
| <p>7. The Organisation shall have exemption from taxes on the importation of goods directly imported by it for its official use in Zambia or for exportation, and on the importation of its own publications directly imported by it, such exemption to be subject to compliance with such conditions as the Controller of Customs and Excise may prescribe for the protection of the revenue.</p> | Exemption from taxes on importation or exportation of goods, subject to certain conditions |
| <p>8. The Organisation shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by it for its official use, and in the case of its own publications directly imported or exported by it.</p> | Exemption from prohibitions and restrictions |

The Laws of Zambia

9. The Organisation shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or dispatched from places outside Zambia), of any reduced rates applicable for the corresponding service in the case of press telegrams.

Reduced rates for certain telegraphic communications

10. For the purpose of the application of this Order, the organisation entitled "Organisation of African Unity" shall include all of its organs, commissions, boards and other constituent parts however styled.

"Organisation of African Unity" to include constituent parts

11. Except in so far as in any particular case any immunity or privilege is waived by the governments concerned, representatives of the governments of members on any organ of the Organisation or at any conference convened by the Organisation shall enjoy-

Immunities and privileges of representatives of governments of members

- (a) while exercising their functions as such and during their journey to and from the place of meeting, the like immunity from personal arrest or detention and from seizure of their personal baggage, and the like inviolability for all papers and documents, as are accorded to a diplomatic agent of a sending State accredited to Zambia;
- (b) immunity from legal process of every kind in respect of words spoken or written, and all acts done, by them in their capacity as such representatives; and
- (c) while exercising their functions as such representatives, and during their journey to and from the place of meeting, the like exemption from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage.

12. For the purpose of the application of this Order, the expression "representatives of the governments of members" shall be deemed to include their official staffs, accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations, but shall not include any person who is the representative of the Government of Zambia or any member of the staff of such a representative.

Interpretation

13. Except in so far as in any particular case any immunity or privilege is waived by the Administrative Secretary-General of the Organisation, all personal representatives of the Administrative Secretary-General, any Assistant Secretary-General, any Regional Director, and officers of equivalent rank shall be accorded in respect of themselves, their spouses and children under the age of twenty-one years the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, his spouse and children. They shall enjoy exemption from income tax only in respect of emoluments received by them as officers of the Organisation.

Immunities and privileges of high officials of the Organisation

The Laws of Zambia

14. Except in so far as in any particular case any immunity or privilege is waived by the Administrative Secretary-General of the Organisation, persons employed on missions on behalf of the Organisation shall enjoy-

Immunities and privileges of persons employed on missions

- (a) while performing their missions and during journeys in connection therewith, immunity from personal arrest or detention and from seizure of their personal baggage, and inviolability for all papers and documents relating to the work of the Organisation;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions; and
- (c) exemption from income tax in respect of emoluments received by them for services rendered in performing their functions as officers of the Organisation.

15. Except in so far as in any particular case any immunity or privilege is waived by the Administrative Secretary-General of the Organisation, all officials of the Organisation (other than those referred to in paragraph 13 above) shall enjoy-

Immunities and privileges of other officials of the Organisation

- (a) immunity from suit and legal process in respect of words spoken or written, and all acts done, by them in the course of the performance of their official duties;
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation; and
- (c) the right to import free of duty their furniture and effects at the time of first taking up their post in Zambia;

Provided that an official of the Organisation who is a national of Zambia shall not be entitled under the provisions of this paragraph to import any of his furniture or effects free of duty.

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (INTERNATIONAL RED LOCUST CONTROL ORGANISATION FOR CENTRAL AND SOUTHERN AFRICA) ORDER.

Statutory Instrument
152 of 1977

Order by the President

1. This Order may be cited as the Diplomatic Immunities and Privileges (International Red Locust Control Organisation for Central and Southern Africa) Order.

Title

2. The International Red Locust Control Organisation for Central and Southern Africa (hereinafter referred to as the Organisation) is hereby declared to be an organisation of which the Government and the governments of certain other States are members.

Declaration under section 4, Cap. 20

3. The Organisation shall have the legal capacities of a body corporate.

Legal capacities

The Laws of Zambia

- 4.** The Organisation shall have the like inviolability of official archives and all documents in its custody as is accorded in respect of the official archives and documents of a diplomatic agent of a sending State accredited to Zambia. Inviolability of official archives and documents
- 5.** The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a sending State. Relief from taxes
- 6.** The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in Zambia or for exportation, or on the importation of any publication of the Organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Controller of Customs and Excise may prescribe for the protection of the revenue. Exemption from taxes on importation of goods, subject to certain conditions
- 7.** The Organisation shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Organisation for its official use and in the case of its own publications directly imported or exported by it. Exemption from prohibitions and restrictions
- 8.** The Organisation shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the Press or for broadcasting (including communications addressed to or dispatched from places outside Zambia), of any reduced rates applicable for the corresponding service in the case of Press telegrams. Reduced rates for certain telegraphic communications
- 9.** For the purpose of the application of this Order, the Organisation entitled "International Red Locust Control Organisation for Central and Southern Africa" shall include all of its organs, commissions, boards and other constituent parts however styled. International Red Locust Control Organisation
- 10.** Except in so far as in any particular case any immunity or privilege is waived by the Governing Council of the Organisation, the Director and Deputy Director of the Organisation shall be accorded in respect of themselves, their spouses and children under the age of twenty-one years, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, his spouse and children. They shall enjoy exemption from income tax only in respect of emoluments received by them as officers of the Organisation. Immunities and privileges of high officials of the Organisation
- 11.** Except in so far as in any particular case any immunity or privilege is waived by the Governing Council of the Organisation, persons employed on missions on behalf of the Organisation shall enjoy- Immunities and privileges of persons employed on missions
- (a) while performing their missions and during journeys in connection therewith, inviolability for all papers and documents relating to the work of the Organisation; and
- (b) exemption from income tax in respect of emoluments received by them for services rendered in performing their functions on behalf of the Organisation.

The Laws of Zambia

12. Except in so far as in any particular case any immunity or privilege is waived by the Governing Council of the International Red Locust Control Organisation, all officials of the Organisation (other than those referred to in paragraph 10) shall enjoy)-

Immunities and privileges of other officials of the Organisation

- (a) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation; and
- (b) the right to import free of duty their furniture and effects at the time of first taking up their post in Zambia:

Provided that an official of the Organisation who is a national of Zambia shall not be entitled under the provisions of this paragraph to import any of his furniture or effects free of duty.

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (INTERNATIONAL UNIVERSITY EXCHANGE FUND) ORDER.

Statutory Instrument
46 of 1978

Order by the President

1. This Order may be cited as the Diplomatic Immunities and Privileges (International University Exchange Fund) Order.

Title

2. The International University Exchange Fund (hereinafter referred to as the Organisation) is hereby declared to be an organisation of which the Government and the Governments of certain other States are members.

Declaration under section 4, Cap. 20

3. The Organisation shall have the legal capacities of a body corporate.

Legal capacities

4. The Organisation shall have the like inviolability of official archives and all documents in its custody as is accorded in respect to the official archives and documents of a diplomatic agent of a sending State accredited to Zambia.

Inviolability of official archives and documents

5. The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a sending State.

Relief from taxes

6. The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in Zambia or for exportation, or on the importation of any publication of the Organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Controller of Customs and Excise may prescribe for the protection of the revenue.

Exemption from taxes on importation of goods, subject to certain conditions

The Laws of Zambia

- 7.** The Organisation shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Organisation for its official use and in the case of its own publications directly imported or exported by it. Exemption from prohibitions and restrictions
- 8.** The organisation shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the Press or for broadcasting (including communications addressed to or dispatched from places outside Zambia), of any reduced rates applicable for the corresponding service in the case of Press telegrams. Reduced rates for certain telegraphic communications
- 9.** For the purpose of the application of this Order, the Organisation entitled "International University Exchange Fund" shall include all its organs, commissions, boards and other constituent parts, however styled. International University Exchange Fund
- 10.** Except in so far as in any particular case any immunity or privilege is waived by the Governing Council of the Organisation, the Director and the Deputy Director of the Organisation shall be accorded in respect of themselves, their spouses and children under the age of twenty-one years, the like immunity from suit and legal process, the like inviolability of residence and the like exemption of relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, his spouse and children. They shall enjoy exemption from income tax only in respect of emoluments received by them as officers of the Organisation. Immunities and privileges of high officials of the Organisation
- 11.** Except in so far as in any particular case any immunity or privilege is waived by the Governing Council of the Organisation, persons employed on missions on behalf of the Organisation shall enjoy- Immunities and privileges of persons employed on missions
- (a) while performing their missions and during journeys in connection therewith, inviolability for all papers and documents relating to the work of the Organisation; and
 - (b) exemption from income tax in respect of emoluments received by them for services rendered in performing their functions on behalf of the Organisation.
- 12.** Except in so far as in any particular case any immunity or privilege is waived by the Governing Council of the International University Exchange Fund, all officials of the Organisation (other than those referred to in paragraph 10) shall enjoy- Immunities and privileges of other officials of the Organisation
- (a) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation; and
 - (b) the right to import free of duty their furniture and effects at the time of first taking up their post in Zambia:

Provided that an official of the Organisation who is a national of Zambia shall not be entitled under the provisions of this paragraph to import any of his furniture or effects free of duty.

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (INTERNATIONAL COMMITTEE
OF THE RED CROSS) ORDER.

Order by the President

1. This Order may be cited as the Diplomatic Immunities and Privileges (International Committee of the Red Cross) Order.

Title
2. The International Committee of the Red Cross (hereinafter referred to as the Organisation) is hereby declared to be an organisation of which the Government and the Governments of certain other States are members.

Declaration under section 4, Cap. 20
3. The Organisation shall have the legal capacities of a body corporate.

Legal capacities
4. The Organisation shall have the like inviolability of official archives and all documents in its custody as is accorded in respect of the official archives and documents of a diplomatic agent of a sending State accredited to Zambia.

Inviolability of official archives and documents
5. The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a sending State.

Relief from taxes
6. The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in Zambia or for exportation, or on the importation of any publication of the Organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Controller of Customs and Excise may prescribe for the protection of the revenue.

Exemption from taxes on importation of goods, subject to certain conditions
7. The Organisation shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Organisation for its official use and in the case of its own publications directly imported or exported by it.

Exemption from prohibitions and restrictions
8. The organisation shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the Press or for broadcasting (including communications addressed to or dispatched from places outside Zambia), of any reduced rates applicable for the corresponding service in the case of Press telegrams.

Reduced rates for certain telegraphic communications
9. For the purposes of the application of this Order, the Organisation entitled "International Committee of the Red Cross" shall include all its organs, commissions, boards and other constituent parts, however styled.

International Committee of the Red Cross

The Laws of Zambia

10. Except in so far as in any particular case any immunity or privilege is waived by the Governing Council of the Organisation, the Director and the Deputy Director of the Organisation shall be accorded in respect of themselves, their spouses and children under the age of twenty-one years, the like immunity from suit and legal process, the like inviolability of residence and the like exemption of relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, his spouse and children. They shall enjoy exemption from income tax only in respect of emoluments received by them as officers of the Organisation.

Immunities and privileges of high officials of the Organisation

11. Except in so far as in any particular case any immunity or privilege is waived by the Governing Council of the Organisation, persons employed on missions on behalf of the Organisation shall enjoy-

Immunities and privileges of persons employed on missions

- (a) while performing their missions and during journeys in connection therewith, inviolability for all papers and documents relating to the work of the Organisation; and
- (b) exemption from income tax in respect of emoluments received by them for services rendered in performing their functions on behalf of the Organisation.

12. Except in so far as in any particular case any immunity or privilege is waived by the Governing Council of the International Committee of the Red Cross, all officials of the Organisation (other than those referred to in paragraph 10) shall enjoy-

Immunities and privileges of other officials of the Organisation

- (a) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation; and
- (b) the right to import free of duty their furniture and effects at the time of first taking up their post in Zambia:

Provided that an official of the Organisation who is a national of Zambia shall not be entitled under the provisions of this paragraph to import any of his furniture or effects free of duty.

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (INTERNATIONAL ASSOCIATION PAN AFRICAN INSTITUTE FOR DEVELOPMENT) ORDER.

Statutory Instrument
181 of 1979

Order by the President

1. This Order may be cited as the Diplomatic Immunities and Privileges (International Association Pan African Institute for Development) Order.

Title

2. The International Association Pan African Institute for Development (hereinafter referred to as "the Organisation") is hereby declared to be an organisation of which the Government and the governments of certain other States are members.

Declaration under section 4, Cap. 20

The Laws of Zambia

- 3.** The Organisation shall have the legal capacities of a body corporate. Legal capacities
- 4.** The Organisation shall have the like inviolability of official archives and all documents in its custody as is accorded in respect of the official archives and documents of a diplomatic agent of a sending State accredited to Zambia. Inviolability of official archives and documents
- 5.** The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a sending State. Relief from taxes
- 6.** The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in Zambia or for exportation, or on the importation of any publication of the Organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Controller of Customs and Excise may prescribe for the protection of the revenue. Exemption from taxes on importation of goods, subject to certain conditions
- 7.** The Organisation shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Organisation for its official use and in the case of its own publications directly imported or exported by it. Exemption from prohibitions and restrictions
- 8.** The Organisation shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the Press or for broadcasting (including communications addressed to or dispatched from places outside Zambia), of any reduced rates applicable for the corresponding service in the case of Press telegrams. Reduced rates for certain telegraphic communications
- 9.** For the purposes of the application of this Order, the Organisation entitled "International Association Pan African Institute for Development" shall include all its organs, commissions, boards and other constituent parts, however styled. International Association Pan African Institute for Development
- 10.** Except in so far as in any particular case any immunity or privilege is waived by the Governing Council of the Organisation, the Director and the Deputy Director of the Organisation shall be accorded in respect of themselves, their spouses and children under the age of twenty-one years, the like immunity from suit and legal process, the like inviolability of residence and the like exemption of relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, his spouse and children. They shall enjoy exemption from income tax only in respect of emoluments received by them as officers of the Organisation. Immunities and privileges of high officials of the Organisation

The Laws of Zambia

11. Except in so far as in any particular case any immunity or privilege is waived by the Governing Council of the Organisation, persons employed on missions on behalf of the Organisation shall enjoy-

Immunities and privileges of persons employed on missions

- (a) while performing their missions and during journeys in connection therewith, inviolability for all papers and documents relating to the work of the Organisation; and
- (b) exemption from income tax in respect of emoluments received by them for services rendered in performing their functions on behalf of the Organisation.

12. Except in so far as in any particular case any immunity or privilege is waived by the Governing Council of the International Association Pan African Institute for Development, all officials of the Organisation (other than those referred to in paragraph 10) shall enjoy-

Immunities and privileges of other officials of the Organisation

- (a) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation; and
- (b) the right to import free of duty their furniture and effects at the time of first taking up their post in Zambia:

Provided that an official of the Organisation who is a national of Zambia shall not be entitled under the provisions of this paragraph to import any of his furniture or effects free of duty.

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (AFRICAN DEVELOPMENT FUND) ORDER.

Statutory Instrument
133 of 1981

Order by the President

1. This Order may be cited as the Diplomatic Immunities and Privileges (African Development Fund) Order. Title

2. The African Development Fund (hereinafter referred to as "the Organisation") is hereby declared to be an organisation of which the Government and the governments of certain other States are members. Declaration under section 4 Cap. 20

3. The Organisation shall have the legal capacities of a body corporate. Legal capacities

4. (1) The Organisation shall be immune from any legal suit or process except in cases arising out of, or in connection with, the exercise of its powers to receive loans. Immunity from suit and legal process

The Laws of Zambia

(2) The Organisation and its property and assets shall be immune from all forms of seizure, requisition, confiscation, expropriation or any other form of taking or foreclosure.

5. The Organisation shall have the like inviolability of official archives and all documents in its custody as is accorded in respect of the official archives and documents of a diplomatic agent of a sending State accredited to Zambia. Inviolability of official archives and premises

6. The Organisation shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a sending State. Relief from taxes

7. The Organisation shall have exemption from taxes on the importation of goods directly imported by the Organisation for its official use in Zambia or for exportation, or on the importation of any publication of the Organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Controller of Customs and Excise may prescribe for the protection of revenue. Exemption from taxes on importation of goods, subject to certain conditions

8. The Organisation shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Organisation for its official use and in the case of its own publications directly imported or exported by it. Exemption from prohibitions and restrictions

9. The Organisation shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the Press or for broadcasting (including communications addressed to or dispatched from places outside Zambia), of any reduced rates applicable for the corresponding service in the case of Press telegrams. Reduced rates for certain telegraphic communications

10. For the purposes of the application of this Order, the Organisation entitled "African Development Fund" shall include all its organs, commissions, boards and other constituent parts however styled. African Development Fund

11. Except in so far as in any particular case any immunity or privilege is waived by the Board of Governors of the Organisation, the Governors, Directors and their alternatives and the President of the Organisation shall be accorded in respect of themselves, their spouses and children below the age of twenty-one years, the like immunity from suit and legal process, the like inviolability of residence and the like exemption of relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, his spouse and children. They shall enjoy exemption from income tax only in respect of emoluments received by them as officers of the Organisation. Immunities and privileges of high officials of the Organisation

The Laws of Zambia

- 12.** Except in so far as in any particular case any immunity or privilege is waived by the Board of Governors of the Organisation, persons employed on mission on behalf of the Organisation shall enjoy-
- Immunities and privileges of persons employed on mission
- (a) while performing their missions and during journeys in connection therewith, inviolability for all papers and documents relating to the work of the Organisation; and
 - (b) exemption from income tax in respect of emoluments received by them for services rendered in performing their functions on behalf of the Organisation.

- 13.** Except in so far as in any particular case any immunity or privilege is waived by the Board of Governors of the Organisation, all officials of the Organisation (other than those referred to in paragraph 11) shall enjoy-
- Immunities and privileges of the officials of the Organisation
- (a) exemption from income tax in respect of emoluments received by them as officers or servants of the Organisation; and
 - (b) the right to import free of duty furniture and effects at the time of first taking up their post in Zambia:

Provided that an official of the Organisations who is a national of Zambia shall not be entitled under the provisions of this paragraph to import any of his furniture or effects free of duty.

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (COMMON MARKET FOR EASTERN AND SOUTHERN AFRICAN STATES) (COMMESA) ORDER.

Statutory Instrument
23 of 1984

Order by the President

- 1.** This Order may be cited as the Diplomatic Immunities and Privileges (Common Market for Eastern and Southern African States) Order. Title
- 2.** The Common Market for Eastern and Southern African States (hereinafter referred to as "COMMESA") is hereby declared to be an organisation of which the Government and the governments of certain other States are members. Declaration under section 4, Cap. 20
- 3.** The COMMESA shall have the legal capacity of a body corporate. Legal capacity
- 4.** Except in so far as in any particular case it has expressly waived its immunity, the COMMESA shall have immunity from suit and legal process. No waiver of immunity shall be deemed to extend to any measure of execution. Immunity from suit and legal process

The Laws of Zambia

- 5.** The COMMESA shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of a diplomatic agent of a sending State accredited to Zambia. Inviolability of official archives and premises
- 6.** The COMMESA shall have the like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a sending State. Relief from taxes and rates
- 7.** The COMMESA shall have exemption from taxes on the importation of goods directly imported by it for its official use in Zambia or for exportation, and on the importation of its own publications directly imported by it, such exemption to be subject to compliance with such conditions as the Controller of Customs and Excise may prescribe for the protection of the revenue. Exemption from taxes on importation or exportation of goods subject to certain conditions
- 8.** The COMMESA shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by it for its official use, and in the case of its own publications directly imported or exported by it. Exemption from prohibitions and restrictions
- 9.** The COMMESA shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or dispatched from places outside Zambia), of any reduced rates applicable for the corresponding service in the case of press telegrams. Reduced rates for certain telegraphic communications
- 10.** For the purpose of the application of this Order, the organisation entitled "Common Market for Eastern and Southern African States" shall include all its organs, commissions, boards and other constituent parts however styled. "Common Market for Eastern and Southern African States" to include constituent parts
- 11.** Except in so far as in any particular case any immunity or privilege is waived by the government concerned, representatives of the member States on any organ of the COMMESA or at any conference convened by the COMMESA shall enjoy- Immunities and privileges of representatives of member States
- (a) while exercising their functions as such and from the place of meeting, the like immunity from personal arrest or detention and from seizure of their personal baggage, and the like inviolability for all papers and documents, as are accorded to a diplomatic agent of a sending State accredited to Zambia:
 - (b) immunity from legal process of every kind in respect of words spoken or written, and all acts done, by them in their capacity as such representatives; and
 - (c) while exercising their functions as such representatives, and during their journey to and from the place of meeting, the like exemption from taxes as is accorded to a diplomatic agent accredited to Zambia, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage.

12. For the purpose of the application of this Order, the expression "representative of member States" shall be deemed to include representatives, deputy representatives, advisors, technical experts and secretaries of delegations, but shall not include any person who is the representative of the Government of Zambia or any person who is a member of the staff of a representative.

Interpretation

13. Except in so far as in any particular case any immunity or privilege is waived by the Council of Ministers of the COMMESSA or by the Secretary-General of the COMMESSA, the Secretary-General of the COMMESSA and such of his immediate assistants as may be agreed between the COMMESSA and the Government of Zambia, shall be accorded in respect of themselves, their spouses and children under the age of eighteen years, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, his spouse and children. They shall enjoy exemption from income tax only in respect of emoluments received by them as officers of the COMMESSA.

Immunities and privileges of high officials of the COMMESSA

14. Except in so far as in any particular case any immunity or privilege is waived by the Secretary-General of the COMMESSA, persons employed on missions on behalf of the COMMESSA shall enjoy-

Immunities and privileges of persons employed on missions

- (a) while performing their missions and during journeys in connection therewith, immunity from personal arrest or detention and from seizure of their personal baggage, and inviolability for all papers and documents relating to the work of the COMMESSA;
- (b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions; and
- (c) exemption from income tax in respect of emoluments received by them for services rendered in performing their functions as officers of the COMMESSA:

Provided that this sub-paragraph shall not apply to any citizen or permanent resident of Zambia who is an officer of the COMMESSA based in Zambia.

15. Except in so far as in any particular case any immunity or privilege is waived by the Secretary-General of the COMMESA, officials of the COMMESA who shall be designated by the Secretary-General of the COMMESA for this purpose (other than those referred to in paragraph 13) shall enjoy-

Immunities and privileges of other officials of the COMMESA

- (a) immunity from suit and legal process in respect of words spoken or written, and all acts done, by them in the course of the performance of their official duties;
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the COMMESA;
- (c) the right to import free of duty, within six months of their arrival in Zambia or such reasonable time as may be agreed upon between the Government of Zambia and the Secretary-General of the COMMESA in each individual case, their furniture and personal effects, including one motor vehicle, at the time of first taking up their post in Zambia;
- (d) immunity from seizure of their personal and official baggage;
- (e) immunity, together with their families, from immigration restrictions and alien registration;
- (f) immunity from national service obligations;
- (g) the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions accredited to Zambia;
- (h) the same repatriation facilities in time of international crisis, together with members of their families and their personal employees, as diplomatic envoys; and
- (i) exemption for officials of the COMMESA from any form of direct taxation on income derived from sources outside the Republic of Zambia and the freedom to maintain within the Republic of Zambia, or elsewhere, foreign securities and other moveable and immoveable property whilst employed by the COMMESA, and at the time of termination of such employment, the right to take out of Zambia funds in non-Zambian currencies without any restrictions or limitations provided that such officials show good cause for their lawful possession of such funds:

Provided that the provisions of sub-paragraphs (b), (c), (f), (g), (h) and (i) shall not apply to any officer or servant of the COMMESA who is a citizen or permanent resident of Zambia and is based in Zambia.

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (COMMON MARKET FOR EASTERN AND SOUTHERN AFRICAN TRADE AND DEVELOPMENT BANK) ORDER.

Statutory Instrument
123 of 1992

Order by the President

1. This Order may be cited as the Diplomatic Immunities and Privileges (Common Market for Eastern and Southern African Development Bank) Order.

Title

The Laws of Zambia

- 2.** The Eastern and Southern African Trade and Development Bank (hereinafter referred to as "the COMMESSA Bank") is hereby declared to be an organisation of which the Government and governments of certain other States are members. Declaration under section 4 Cap. 20
- 3.** The COMMESSA Bank shall have the legal capacity of a body corporate. Legal capacity
- 4.** Except in so far as in any particular case it has expressly waived its immunity, the COMMESSA Bank shall have immunity from suit and legal process: Immunity from suit and legal process
- Provided that no waiver of immunity shall be deemed to extend to any measure of execution.
- 5.** The COMMESSA Bank shall have the like inviolability of official archives and premises occupied offices as is accorded in respect of a diplomatic agent of a sending State accredited to Zambia. Inviolability of official archives and premises
- 6.** The official communications of the COMMESSA Bank shall be accorded the same treatment that is accorded to official communications of international organisations and diplomatic missions. Official communication accorded to be same as that of international organisation and diplomatic missions
- 7.** (1) The COMMESSA Bank, its property, other assets, income and its operations and transactions, shall be exempt from all taxation and from all customs and prohibitions and restrictions on imports or exports in respect of articles imported or exported by the COMMESSA Bank for its official use. Exemption from taxes and customs duties, etc.
- (2) The COMMESSA Bank shall also be exempt from any obligations relating to the payment, withholding or collection of any tax or duty.
- 8.** The COMMESSA Bank shall have the like exemption from rates and from taxes on any obligations or securities issued securities guaranteed by it including any dividends or interest thereon, by whomsoever, held as is accorded to a sending State. Relief from rates and taxes on obligations or securities guaranteed by COMMESSA Bank
- 9.** The governors, directors and alternate Directors, officers and staff, of the COMMESSA Bank shall enjoy the same privileges and immunities as those accorded to the officials of the COMMESSA of a similar rank under the Diplomatic Immunities and Privileges (COMMESSA) Order, 1984. Privileges and immunities of governments

The Laws of Zambia

10. The representatives of the COMMESSA Bank, Member States, COMMESSA Bank officials and experts providing advice and assistance to the COMMESSA Bank shall have such facilities and courtesies as are necessary for the exercise of their functions in connection with the COMMESSA Bank.

Facilities and courtesies of representatives, bank officials and COMMESSA experts

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (INTERNATIONAL UNION FOR THE CONSERVATION OF NATURE AND NATURAL RESOURCES) ORDER.

Statutory Instrument 29 of 1993

Order by the President

1. This Order may be cited as the Diplomatic Immunities and Privileges (International Union for the Conservation of Nature and Natural Resources) Order.

Title

2. The International Union for the Conservation of Nature and Natural Resources (hereinafter referred to as "the IUCN") is hereby declared to be an organisation of which the Government and governments of certain other States are members.

Declaration under section 4 Cap. 20

3. The IUCN shall have the legal capacity of a body corporate.

Legal capacity

4. Except in so far as in any particular case it has expressly waived its immunity, the IUCN shall have immunity from suit and legal process:

Immunity from suit and legal process

Provided that no waiver of immunity shall be deemed to extend to any measure of execution.

5. The IUCN shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of a diplomatic agent of a sending State accredited to Zambia.

Inviolability of official archives and premises

6. The official communications of the IUCN shall be accorded the same treatment as that accorded to official communications of international organisations and diplomatic missions.

Official communication to be accorded same treatment as that of international organisations and diplomatic missions

7. (1) The IUCN, its operations and transactions, shall be exempt from all taxation and from all customs, prohibitions and restrictions on imports and exports in respect of articles imported or exported by the IUCN for its official use.

Exemption from taxes and customs duties etc.

The Laws of Zambia

(2) The IUCN shall also be exempt from any obligations relating to the payment, withholding or collection of any tax or duty.

8. The IUCN shall have the like exemption from rates and from taxes on any obligations or securities issued and securities guaranteed by it including any dividends or interest thereon, by whomsoever held, as is accorded to a sending State.

Relief from rates and taxes on obligations or securities guaranteed by IUCN

9. The officials of IUCN, including advisors and consultants, participants of conferences and seminars organised by the IUCN Office shall, while in the territory of Zambia, enjoy-

Privileges and immunities of IUCN officials

- (a) immunity from legal process of any kind in respect of words spoken or written and all acts performed by them in and during their official duties, and this immunity shall continue notwithstanding that the persons concerned may have ceased to be officials of the IUCN office.
- (b) exemption for officials of the IUCN Office who are not nationals or residents including their dependants from all resident and local taxes, including taxes imposed on personal income such as salaries, emoluments, indemnities and pensions paid to them by the IUCN office:

Provided that all the conditions, rules and regulations applicable in this connection to officials of other international organisations who are posted in Zambia and have been granted similar status by the Government shall equally apply to the said officials of the IUCN office;

- (c) Immunity from national service obligations:

Provided that with respect to Zambian nationals, such exemptions shall be confined to officials whose name shall by reason of their duties, be placed on a list compiled by the Director-General of the IUCN and approved by the Government;

- (d) subject to the prevailing exchange control regulations the same privileges in respect of monetary exchange facilities as are accorded to officials of comparable rank forming part of diplomatic missions to the Government;
- (e) the same repatriation facilities in time of national and international crisis together with members of their families and their personal employees as those accorded to diplomatic envoys;
- (f) exemption for officials of the IUCN office, other than officials who are nationals of Zambia or who are permanent foreign residents of Zambia, from any form of direct taxation on income derived from sources outside Zambia;
- (g) in the case of officials of the IUCN Office who have been granted diplomatic status by the Government and who have been resident in Zambia for not more than three years or such other period as may be agreed to by the Government, freedom, on the same conditions, rules and regulations as those applicable to officials of other international organisations who are posted in Zambia and have been granted diplomatic status by the Government, to acquire and maintain within Zambia out of funds derived from sources outside Zambia;
- (h) the right to import and export free of duties, taxes and other levies, prohibitions and restrictions on imports, articles intended for their personal and household use including one motor vehicle for personal use:

Provided that such articles are owned and imported by the officials at the time of their first arrival in Zambia, and at reasonable intervals;

- (i) in the event of fire, theft or an accident causing major damage to a motor vehicle acquired under the Agreement, the privilege of tax and duty-free purchase of a replacement vehicle, subject to the regulations governing sale or disposal of vehicles for officials of international organisations who are posted in Zambia;

In this paragraph "Agreement" means the Agreement between the Government of Zambia and the International Union for Conservation of Nature and Natural Resources.

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES
(NORSAD AGENCY) ORDER.

Statutory Instrument
112 of 1993

Order by the President

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| <p>1. This Order may be cited as the Diplomatic Immunities and Privileges (NORSAD Agency) Order.</p> | Title |
| <p>2. The Norsad Agency (hereinafter referred to as the Agency) an organisation of which other governments or certain other States are members.</p> | Declaration under section 4 Cap. 20 |
| <p>3. The Agency shall have the legal capacity of a body corporate.</p> | Legal capacity |
| <p>4. Except in so far as in any particular case it has expressly waived its immunity, the Agency shall have immunity from suit and legal process:</p> | Immunity from suit and legal process |
| <p>Provided that no waiver of immunity shall be deemed to extend to any measure of execution.</p> | |
| <p>5. The Agency shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of a diplomatic agent of a sending State accredited to Zambia.</p> | Inviolability of official archives and premises |
| <p>6. The Agency shall have the like exemption or relief from taxes and rates, as is accorded to a sending State.</p> | Relief from taxes and rates |
| <p>7. The Agency shall have exemption on the importation of goods directly imported by it for its official use in Zambia or for exportation, and on the importation of its publications directly imported by it, such exemption to be subject to compliance with such conditions as the Controller of Customs and Excise may prescribe from the protection of the revenue.</p> | Exemption from taxes on importation or exportation of goods, certain conditions |
| <p>8. The Agency shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported for its official use and in the case of any publications directly imported or exported by it.</p> | Exemption from prohibitions and restrictions |

The Laws of Zambia

9. The Agency shall have the right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or dispatched from places outside Zambia), or any reduced rates applicable for the corresponding service in the case of press telegrams.

Reduced rates for certain telegraphic communications

10. (1) Except in so far as in any particular case any privileges or immunities is waived by the government concerned, representatives of member states on any organ of the Agency, or at any conference convened by the Agency shall enjoy-

Immunities and privileges of representatives of member states

(a) while exercising their functions as such and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage, and like inviolability for all papers and documents as are accorded to a diplomatic agent of a sending state accredited to Zambia;

(b) immunity from legal process of every kind in respect of words spoken or written, and all acts done, by them in their capacity as representatives; and

(c) while exercising their functions as such representatives and during their journey to and from the place of meeting, the like exemption from taxes as is accorded to a diplomatic agent accredited to Zambia, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of their personal baggage.

11. Except in so far as in any particular case any immunity or privilege is waived by the Agency, the Director and Deputy Director of the Agency as may be agreed between the Agency and the Government of Zambia, shall be accorded in respect of themselves, their spouses and children under the age of eighteen, the like immunity from suit and legal process, the like inviolability of residence and the like exemption or relief from taxes as is accorded to a diplomatic agent of a sending State accredited to Zambia, his spouse and children; they shall enjoy exemption from income tax only in respect of emoluments received by them as officers of the Agency.

Immunities and privileges of high officials of Agency

12. Except in so far as in any particular case any immunity or privilege is waived by the Agency, persons serving on committees of, or employed on missions on behalf of the Agency shall enjoy-

Immunities and privileges of persons employed on missions

(a) while performing their functions and during their journeys, immunity from personal arrest or detention and from seizure of their personal baggage, and inviolability for all papers and documents relating to the work of the Agency;

(b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions; and

(c) exemption from income tax in respect of emoluments received by them for services rendered in performing their functions as officers of the Agency.

13. Except in so far as in any particular case any immunity or privilege is waived by the Agency, officials of the Agency, other than those referred to in paragraph 11, shall enjoy-

Immunities and privileges of other officials of the Agency

- (a) immunity from suit and legal process in respect of words spoken or written and all acts done by them in the course of the performance of their official duties;
- (b) exemption from income tax in respect of emoluments received by them as officers or servants of the Agency;
- (c) the right to import free of duty, within six months of their arrival in Zambia or such reasonable time as may be agreed upon between the Government of Zambia and the Agency in each individual case their furniture and personal effects, at the time of first taking up their post in Zambia;
- (d) immunity, from seizure of their personal or official baggage;
- (e) immunity together with their families, from immigration restrictions and alien registration;
- (f) immunity from national service obligations;
- (g) the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions accredited to Zambia;
- (h) the same repatriation facilities in time of international crisis, together with members of their families and their personal employees; and
- (i) exemption for officials of the Agency from any form of direct taxation on income derived from sources, outside the Republic of Zambia, or elsewhere, foreign securities and other moveable property whilst employed by the Agency, and at the time of termination of such employment, the right to take out of Zambia funds in non Zambian currencies without any restrictions or limitations provided that such officials show good cause for their lawful possession of such funds.

14. For the purpose of the application of this Order, the expression "representative member states" shall be deemed to include representatives, deputy representatives, advisers, technical experts and secretaries of delegations, but shall not include any person who is the representative of the Government of Zambia or any person who is a member of the staff of a representative.

Interpretation

DIPLOMATIC IMMUNITIES AND PRIVILEGES

CAP. 20

SECTION 4-THE DIPLOMATIC IMMUNITIES AND PRIVILEGES (AFRICAN HOUSING FUND) ORDER

Statutory Instrument
177 of 1996

Order by the President

1. This Order may be cited as the Diplomatic Immunities and Privileges (African Housing Fund) Order.

Title

The Laws of Zambia

- 2.** The African Housing Fund (hereinafter referred to as "the Fund") is hereby declared to be an organisation of which the Government is a member and of which other States are members. Declaration under section 4
- 3.** The Fund shall have the legal capacity of a body corporate. Legal capacity
- 4.** Except in so far as in any particular case it has expressly waived its immunity, the Fund shall have immunity from suit and legal process: Immunity from suit and legal process
- Provided that no waiver of immunity shall be deemed to extend to any measure of execution.
- 5.** The Fund shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of a diplomatic agent of a sending State accredited to Zambia. Inviolability of official archives and premises
- 6.** The official communications of the Fund shall be accorded the same treatment as that accorded to official communications of international organisations and diplomatic missions. Official communication to be accorded same treatment as that of international organisations and diplomatic missions
- 7.** (1) The Fund, its operations and transactions, shall be exempt from all taxation and from all customs, prohibitions and restrictions on imports and exports in respect of articles imported by the Fund for its official use. Exemption from taxes and rates
- (2) The Fund shall also be exempt from any obligations relating to the payment, withholding or collection of any tax or duty.
- 8.** The Fund shall have the like exemption from rates and from taxes on any obligations or securities issued and securities guaranteed by it including any dividends or interest thereon, by whomsoever held, as is accorded to a sending State. Relief from rates and taxes on obligations or securities guaranteed by Fund
- 9.** (1) The Director and the Deputy Director shall be accorded full diplomatic status. Privileges and immunities of Fund officials
- (2) The approved technical staff and experts of the Fund shall be accorded immunities and privileges accorded to members of the administrative staff of diplomatic missions accredited to Zambia.

(3) The participants of conferences and seminars organised by the Fund shall, while in the territory of Zambia enjoy-

- (a) immunity from legal process of any kind in respect of words spoken or written and all acts performed by them in and during their official duties, and this immunity shall continue in relation to all acts officially performed by them while in office when such persons cease to be officials of the Fund;
- (b) exemption, for officials of the Fund who are not nationals or residents including their dependants, from all resident and local taxes including taxes imposed on personal income such as salaries and pensions paid to them by the Fund:

Provided that all the conditions, rules and regulations, applicable in this connection to officials of other international organisations who are posted in Zambia and have been granted similar status by the Government shall equally apply to the officials of the Fund;

- (c) immunity from national service obligations:

Provided that with respect to Zambian nationals, such exemptions shall be confined to officials whose names shall, by reason of their duties, be placed on a list compiled by the Fund and approved by the Government;

- (d) subject to the prevailing exchange control regulations, the same privileges in respect of monetary exchange facilities as are accorded to officials of comparable rank forming part of diplomatic missions to the Government;
- (e) the same repatriation facilities in time of national and international crisis together with members of their families and their personal employees as those accorded to diplomatic envoys;
- (f) exemption, for officials of the Fund other than officials who are nationals of Zambia or who are permanent foreign residents of Zambia, from any form of direct taxation on income derived from sources outside Zambia;
- (g) in the case of officials of the Fund who have been granted diplomatic status by the Government and who have been resident in Zambia for not more than three years or such other period as may be agreed to by the Government, freedom, on the same conditions, rules and regulations as those applicable to officials of other international organisations who are posted in Zambia and have been granted diplomatic status by the Government, to acquire and maintain funds within Zambia;
- (h) the right to import and export, free of duties, taxes and other levies, prohibitions and restrictions on imports or exports, articles intended for their personal and household use including one motor vehicle for personal use:

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Provided that such articles are owned and imported by the officials at the time of their first arrival in Zambia, and at reasonable intervals;

- (i) in the event of fire, theft or an accident causing major damage to a motor vehicle acquired under the Statute, the privilege of tax and duty-free purchase of a replacement vehicle, subject to the regulations governing sale or disposal of vehicles for officials of international organisations who are posted in Zambia.

In this paragraph, "Statute" means the statute establishing the African Housing Fund and signed between Zambia and other members of the African Housing Fund on 26th May, 1988, in Nairobi, Kenya.