

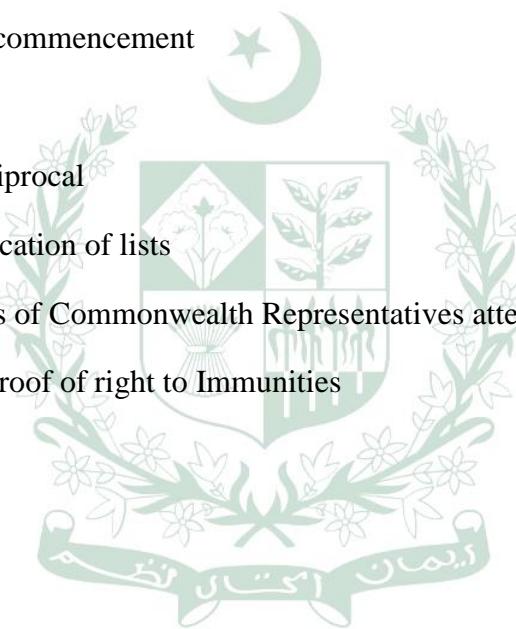


THE DIPLOMATIC IMMUNITIES (CONFERENCES WITH COMMONWEALTH COUNTRIES) ACT, 1963



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THE PAKISTAN CODE

THE DIPLOMATIC IMMUNITIES (CONFERENCES WITH COMMONWEALTH COUNTRIES) ACT, 1963

ACT No. II of 1963

[3rd April, 1963]

An Act to provide for conferring certain immunities on representatives of governments of Commonwealth countries attending conferences in Pakistan and on their official staffs.

WHEREAS it is expedient to provide for conferring certain immunities on representatives of Governments of Commonwealth countries attending conferences in Pakistan and on their official staffs;

It is hereby enacted as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Diplomatic Immunities (Conferences with Commonwealth Countries) Act, 1963.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

- (a) “envoy” means the envoy of a foreign sovereign power duly accredited in Pakistan;
- (b) “list” means a list compiled and published under section 4, and includes any amendment of such list ;
- (c) “official staff” means officials employed directly under the orders of a representative included in a list ;
- (d) “Secretary” means the Secretary to the Government of Pakistan in the Ministry concerned with the convening or sponsoring of a conference.

3. Application of Act reciprocal.—If the ¹[Federal Government] is satisfied that the government of any country within the Commonwealth has made provision for extending to the representatives of the Government of Pakistan attending conferences in that country and their official staff immunities similar to those provided for in this Act, it may, by notification in the official Gazette, declare that this Act applies to such country, and thereupon the provisions of this Act shall during the period such notification remains in force, apply accordingly.

4. Compilation and Publication of lists.— (1) Where a conference is held in Pakistan and is attended by representatives of the Government of Pakistan and of the government or governments of one or more countries to which this Act applies, the Secretary shall compile, and cause to be published in the official Gazette, a list of the representatives of such government or governments and members of their official staffs, showing separately—

¹Subs. by F.A.O., 1975, Art. 2 and Table, for “Central Government”.

- (a) the representatives ; and
- (b) the members of the official staffs—
 - (i) who are not citizens of Pakistan, or who are not deemed to be such citizens ; and
 - (ii) who are, or are deemed to be, such citizens.

(2) Whenever it appears to the Secretary that any person ceases or begins to be qualified for inclusion in a list, he may amend the list and cause the amendment, or, if he thinks fit, an amended list, to be published in the official Gazette.

(3) Every list or amendment published under this section in relation to any conference shall include a statement of the date from which the list or amendment takes or took effect.

5. Diplomatic Immunities of Commonwealth Representatives attending Conferences in Pakistan.—(1) Every representative who is for the time being included in a list shall, subject to the provisions of sub-section (3), be entitled to the immunity from suit and legal process, and to the inviolability of residence, official premises and official archives, to which he would be entitled if he were an envoy.

(2) Every member of the official staff who is for the time being included in a list shall, subject to the provisions of sub-section (3), be entitled to the immunity from suit and legal process to which he would be entitled if the representative under whose orders he is employed were an envoy.

(3) Where a representative or a member of an official staff is or is deemed to be a citizen of Pakistan, he shall not, except in respect of things done or omitted to be done in the course of the performance of his duties as such representative or member, be entitled to the immunity mentioned in sub-section (1) or, as the case may be, sub-section (2).

6. List to be conclusive proof of right to Immunities.— If any question arises as to whether any person is or was included or not included at any time among the persons entitled to any immunity under this Act, the official Gazette containing the list as effective for the time being, shall be conclusive proof of the fact that the person is or was so included or not so included.