

THE LAWS
OF
THE CAYMAN ISLANDS

IN FORCE ON
THE 31st DAY OF DECEMBER, 1963

REVISED EDITION

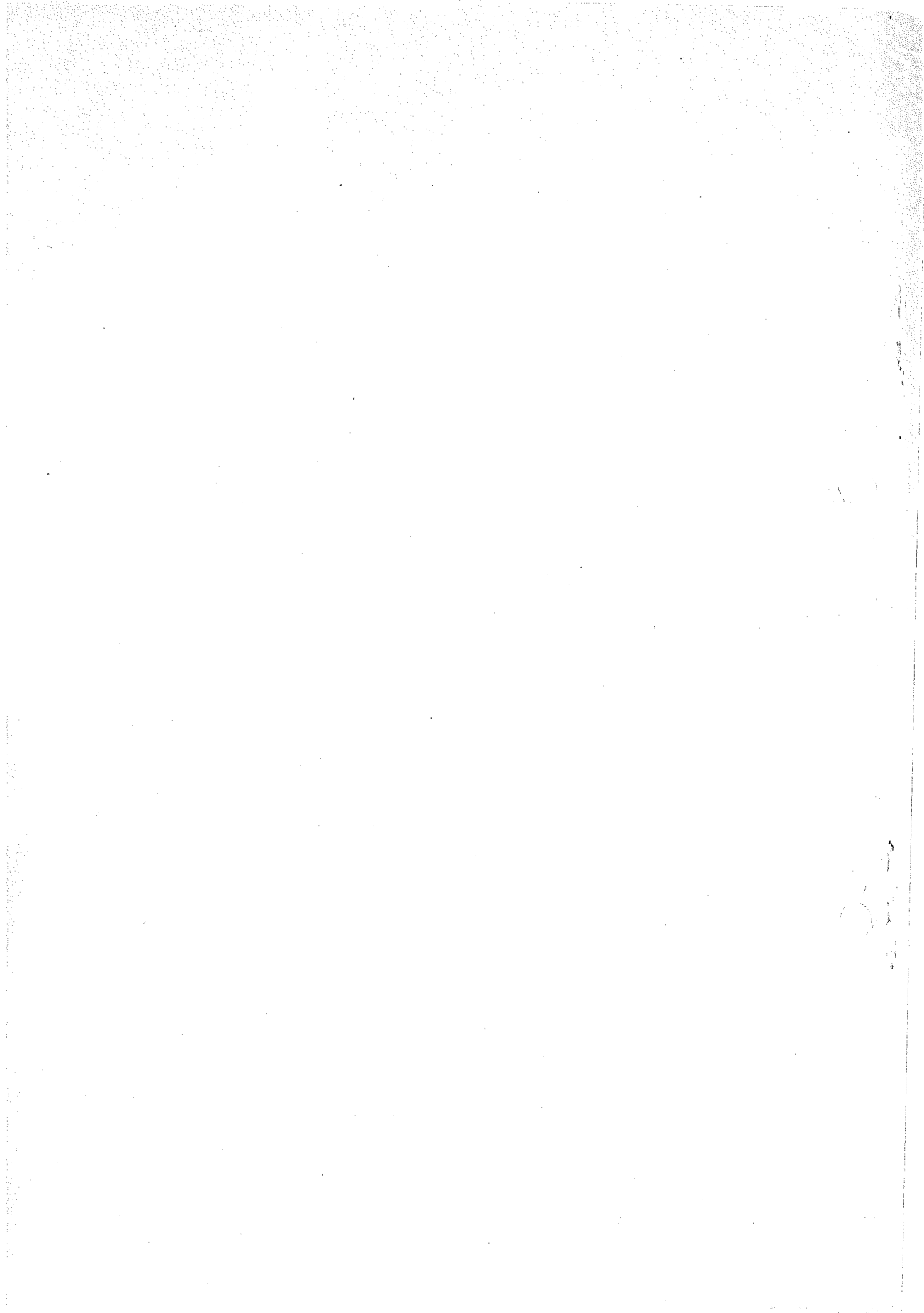
CHAPTER 38
THE DIPLOMATIC IMMUNITIES
(COMMONWEALTH COUNTRIES AND THE
REPUBLIC OF IRELAND) LAW

To be obtained from the Clerk of the Courts, Courts Office, Grand Cayman,
Cayman Islands, West Indies.

PRINTED BY
EYRE AND SPOTTISWOODE LIMITED, HER MAJESTY'S PRINTERS,
2 SERJEANTS' INN, LONDON E.C.4

(Appointed by the Government of the Cayman Islands, the Government Printers for the purposes of
this Edition of Laws within the meaning of the Evidence (Colonial Statutes) Act 1907.)

PRICE 1/-



CHAPTER 38

THE DIPLOMATIC IMMUNITIES (COMMONWEALTH
COUNTRIES AND THE REPUBLIC OF IRELAND)
LAWJamaica.
Law
48 of 1958.

[2nd January, 1959]

1. This Law may be cited as the Diplomatic Immunities (Commonwealth Countries and the Republic of Ireland) Law. Short title.

2. In this Law—

Inter-
pretation.

“official premises” means any building or part of a building which is exclusively occupied for the purpose of the official business of a person in the service of the Government of any scheduled country holding the office of Commissioner as defined in this Law;

“Commissioner” means, in relation to a scheduled country, the person for the time being recognized by the Administrator as Commissioner or agent of such country in the Islands;

“scheduled country” means any country for the time being specified in the Schedule. Schedule.

3. Subject to the provisions of this section, no official premises shall be entered by a constable or other person acting in the execution of any warrant or other legal process or in the exercise of powers conferred by or under any enactment (whether passed before or after the commencement of this Law) or otherwise, except with the consent of the Commissioner in charge thereof, or, if that consent is withheld or cannot be obtained, with the consent of the Administrator: Restrictions
of powers of
entry in
relation to
official
premises.

Provided that the foregoing provisions of this section shall not apply in relation to any entry effected—

(a) for the purpose of extinguishing or preventing the spread of fire;

- (b) by a constable having reasonable cause to believe that a crime involving violence has been or is being committed or is about to be committed in such official premises;
- (c) by a person entitled to enter by virtue of any easement, contract or other private right.

Immunities
of Commiss-
ioners of
scheduled
countries and
certain
other
persons.

4. (1) The Administrator may by order confer upon the Commissioner and other persons in the service of the Government of any scheduled country holding such offices or classes of offices as may be specified in the order, being offices or classes of offices appearing to him to involve the performance of duties substantially corresponding to those which, in the case of a foreign sovereign power, would be performed by a consular officer, the like immunity from suit and legal process and the like inviolability of official archives as are accorded to consular officers of a foreign sovereign power:

Provided that a person who is a citizen of the United Kingdom and Colonies and is not a citizen of any of the scheduled countries shall not be entitled under this subsection to immunity from suit and legal process, except in respect of things done or omitted to be done in the course of the performance of his duties.

(2) If in any proceeding any question arises whether or not any person is entitled to immunity from suit and legal process under any provision of this section or of any order made thereunder, a certificate issued by or under the authority of the Administrator stating any fact relevant to that question shall be conclusive evidence of that fact.

(3) The Administrator shall compile a list of the persons appearing to him entitled to immunity from suit and legal process under subsection (1), except persons whose immunity is limited by the proviso to that subsection; and the Administrator 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 gazetted.

(4) Notwithstanding anything in the preceding provisions of this section the Commissioner of any scheduled country in the Islands may waive any immunity conferred by or under this section on himself or any member of his staff.

5. (1) The Administrator may by order vary the Schedule by adding thereto any country specified in the order being a country within the Commonwealth. Amendment of Schedule.

(2) The Administrator may by order provide that this Law shall cease to apply to, or shall be modified in its application to, any scheduled country on the ground that that country is not being accorded corresponding treatment by Her Majesty's Government in the United Kingdom. Reciprocity.

6. Any power conferred by the foregoing provisions of this Law to make an order shall be construed as including a power to revoke or vary the order by a subsequent order. Power to revoke or vary orders made under the Law.

SCHEDULE

(Sections 2, 5)

Australia

Canada

Republic of Ireland
