

L.N. 21 of 1969

DIPLOMATIC IMMUNITIES AND PRIVILEGES ACT 1962
(1962 No. 42)

**Diplomatic Immunities and Privileges (African Groundnut
Council) Order 1969**

Commencement : 22nd January 1969

In exercise of the powers conferred upon me by section 11 of the Diplomatic Immunities and Privileges Act 1962, and of all other powers enabling me in that behalf, I the Commissioner for External Affairs hereby make the following Order :—

1. The African Groundnut Council (in this Order hereafter referred to as "the Council") is an organisation of which Nigeria and foreign sovereign Powers are members.

International membership.

2. The Council shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process ; but no waiver of immunity shall be deemed to extend to any measure of execution.

Legal capacity.

3. The Council shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to the Federal Military Government.

Inviolability of archives etc.

4.—(1) The Council shall have the like exemption or relief from taxes and rates (other than taxes on the importation of goods) and from exemption from exchange control, as is accorded to a foreign sovereign Power.

Exemptions.

(2) The Council shall have exemption from taxes on the importation of goods and equipment directly imported by the Council for its official use in Nigeria or for exportation, or on the importation of any publications of the Council directly imported by it, such exemption to be subject to compliance with such conditions as may be prescribed for the protection of public health, of the revenue, the prevention of disease in plants and animals and otherwise in the public interest.

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

5. The Council 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 Nigeria) of any reduced rates applicable for the corresponding service in the case of press telegrams.

Telegraphic facilities.

B.—Representatives of Members of the Council

6.—(1) Except in so far as in any particular case any privilege or immunity is waived by the member Governments whom they represent, representatives of member Governments at meetings in Nigeria of the Council (not being Nigerians) shall enjoy—

Immunities etc. of representative members at meetings of Council.

(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 of 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 an envoy of a foreign sovereign Power accredited to the Federal Military Government, 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. They shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in Nigeria during any period when they are present in Nigeria whilst exercising their functions or during their journey to and from the place of meeting.

(2) For the purpose of this section, the expression "representatives of member governments" shall be deemed to include their official staffs accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

C.—High Officials of the Council

Privileges
etc. of
executive
secretary
and his
deputy etc.

7.—(1) Subject to this section and except in so far as in any particular case any privilege or immunity is waived by the Council, the executive secretary of the Council shall be accorded in respect of himself his spouse and children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and as from time to time agreed with the Ministry of External Affairs such exemption or relief from taxes as, but for this provision, would be accorded to an envoy of a foreign sovereign Power accredited to the Federal Military Government his spouse and children, including exemption from income tax in respect of emoluments received by him as an officer of the Council.

(2) The provisions of subsection (1) of this section shall apply to the deputy executive secretary as they apply to the executive secretary ; and he, his spouse and nonage children shall to the like extent be exempted accordingly.

(3) Nothing in this section shall operate to exempt any such office holder, his wife or nonage children if the office holder is a Nigerian.

D.—Persons employed on Missions on behalf of the Council

Immuni-
ties of
persons
engaged on
missions.

8. Except in so far as in any particular case any privilege or immunity is waived by the Council, persons in Nigeria employed on missions on behalf of the Council shall enjoy—

(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 of all papers and documents relating to the work of the Council ;

(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 these functions, and such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Council.

E.—Other Officials of the Council

9.—(1) Except in so far as in any particular case any privilege or immunity is waived by the Council, officials of the Council (other than those referred to in section 7 above or officials engaged locally and remunerated by payment calculated on the number of hours worked) shall enjoy—

Immunities of certain employees.

(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 (not being traffic offences or damage caused by motor vehicles), and

(b) exemption from income tax in respect of emoluments received by them as officers or servants of the Council.

(2) Nothing in this section shall be construed as entitling any person to enjoy any such immunity or exemption if he is a Nigerian.

F.—Miscellaneous

10.—(1) Where a conference is held in Nigeria and is attended by representatives of the foreign sovereign Powers forming the Council, the Commissioner for External Affairs may compile a list of representatives of the foreign sovereign Powers aforesaid attending the conference and members of their official staffs, and cause that list to be published in the Federal Gazette; and every representative aforesaid who is for the time being included in the list shall, for the purposes of this Order, be treated as if he were a foreign envoy and, subject to the provisions of this section, such of the members of his official staff as are for the time being included in the list shall be treated for the purpose aforesaid as if they were his retinue.

Conference lists.

(2) Whenever it appears to the Commissioner that any person ceases or begins to be qualified for inclusion in a list compiled under subsection (1) of this section, he may amend the list and cause a notice of the amendment or, if he thinks fit, an amended list to be published in the Federal Gazette.

(3) Every list or notice 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.

(4) A person who is a member of the official staff of a representative of the foreign sovereign Powers forming the Council and is a citizen of Nigeria and is not a national of one of the foreign sovereign Powers aforesaid shall not be entitled under the foregoing provisions of this section to any immunity except in respect of things done or omitted to be done in the course of the performance of his duties, and the name of a person whose immunity is limited by this subsection shall be entered in a separate part of any list compiled by the Commissioner aforesaid under subsection (1) of this section.

11. Where it appears to the Commissioner that any personal immunities conferred by law on a foreign envoy, the members of the families of any such envoy, members of his official or domestic staff, and the members of the families of his official staff, or on persons coming under section 10 of this Order, exceed in any respect those accorded in the territory of the foreign sovereign Power concerned to Nigerian representatives attending a conference of the Council the Commissioner may, by order withdraw those personal immunities in the case of that Power to such extent and in respect of such classes of persons as appear to the Commissioner to be proper.

Power to amend lists where equal privileges not available to Nigerian members etc.

12. The staff of the Council shall, if not citizens of Nigeria, be entitled to first arrival privileges only.

First arrival privileges.

Citation,
repeal,
application
and
interpreta-
tion.

13.—(1) This Order may be cited as the Diplomatic Immunities and Privileges (African Groundnut Council) Order 1969 and it shall have effect throughout the Federation.

L.N. 88 of
1966.

(2) This Order is in substitution for the Diplomatic Immunities and Privileges (African Groundnut Council) Order 1966 and that order accordingly is hereby revoked.

(3) This Order shall be deemed to have come into effect on 22nd January 1969.

(4) In this Order, "the Commissioner" means the Commissioner for External Affairs.

MADE at Lagos this 8th day of April 1969.

OKOI ARIKPO,
Commissioner for External Affairs

L.N. 22 of 1969

DIPLOMATIC IMMUNITIES AND PRIVILEGES ACT 1962
(1962 No. 42)

**Diplomatic Immunities and Privileges (Cocoa
Producers' Alliance) Order 1969**

Commencement : 22nd January 1969

In exercise of the powers conferred upon me by section 11 of the Diplomatic Immunities and Privileges Act 1962 and of all other powers enabling me in that behalf I the Commissioner for External Affairs hereby make the following Order :—

1. The Cocoa Producers' Alliance (in this Order hereafter referred to as "the Alliance") is an organisation of which Nigeria and foreign Powers are members. International membership.
2. The Alliance shall have the legal capacities of a body corporate and, except in so far as in any particular case it has expressly waived its immunity, immunity from suit and legal process ; but no waiver of immunity shall be deemed to extend to any measure of execution. Legal capacity.
3. The Alliance shall have the like inviolability of official archives and premises occupied as offices as is accorded in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to the Federal Military Government. Inviolability of archives etc.
- 4.—(1) The Alliance shall have the like exemption or relief from taxes and rates, (other than taxes on the importation of goods) and from exemption from exchange control, as is accorded to a foreign sovereign Power. Exemptions.
(2) The Alliance shall have exemption from taxes on the importation of goods and equipment directly imported by the Alliance for its official use in Nigeria or for exportation, or on the importation of any publications of the Alliance directly imported by it, such exemption to be subject to compliance with such conditions as may be prescribed for the protection of public health, of the revenue, the prevention of diseases in plants and animals and otherwise in the public interest.
- (3) The Alliance shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Alliance for its official use and in the case of any publication of the Alliance directly imported or exported by it.
5. The Alliance 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 Nigeria) of any reduced rates applicable for the corresponding services in the case of press telegrams. Telegraphic facilities.

B.—Representatives of Members of the Alliance

- 6.—(1) Except in so far as in any particular case any privilege or immunity is waived by the member Governments whom they represent, representatives of member Governments at meetings in Nigeria of the Alliance (not being Nigerians) shall enjoy— Immunities etc. of representative members at meetings of Alliance.
 - (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 of 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 an envoy of a foreign sovereign Power accredited to the Federal Military Government, 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. They shall not, where the incidence of any form of taxation depends upon residence, be deemed to be resident in Nigeria during any period when they are present in Nigeria whilst exercising their functions or during their journey to and from the place of meeting.

(2) For the purpose of this section, the expression "representatives of member governments" shall be deemed to include their official staffs accompanying them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

C.—High Officials of the Alliance

Privileges
etc. of
executive
secretary
and his
deputy etc.

7.—(1) Subject to this section and except in so far as in any particular case any privilege or immunity is waived by the Alliance, the executive secretary of the Alliance shall be accorded in respect of himself his spouse and children under the age of twenty-one, the like immunity from suit and legal process, the like inviolability of residence and as from time to time agreed with the Ministry of External Affairs such exemption or relief from taxes as, but for this provision, would be accorded to an envoy of a foreign sovereign Power accredited to the Federal Military Government, his spouse and children, including exemption from income tax in respect of emoluments received by him as an officer of the Alliance.

(2) To the extent that the Articles or Rules of the Alliance provide for the deputy executive secretary to be French speaking if the executive secretary is English speaking and vice versa (but not if the business of the Alliance requires knowledge in both offices of one language only) the provisions of subsection (1) of this section shall apply to the deputy executive secretary as they apply to the executive secretary ; and he, his spouse and nonage children shall to the like extent be exempted accordingly.

(3) Nothing in this section shall operate to exempt any such office holder, his wife or nonage children if the office holder is a Nigerian.

D.—Persons employed on Missions on behalf of the Alliance

Immuni-
ties of
Persons
engaged on
missions.

8. Except in so far as in any particular case any privilege or immunity is waived by the Alliance, persons in Nigeria employed on missions on behalf of the Alliance shall enjoy—

(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 of all papers and documents relating to the work of the Alliance ;

(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 these functions, and such immunity shall continue notwithstanding that the persons concerned are no longer employed on missions on behalf of the Alliance.

E.—Other Officials of the Alliance

9.—(1) Except in so far as in any particular case any privilege or immunity is waived by the Alliance, officials of the Alliance (other than those referred to in section 7 above or officials engaged locally and remunerated by payment calculated on the number of hours worked) shall enjoy—

Immunities of certain employees.

(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 (not being traffic offences or damage caused by motor vehicles), and

(b) exemption from income tax in respect of emoluments received by them as officers or servants of the Alliance.

(2) Nothing in this section shall be construed as entitling any person to enjoy any such immunity or exemption if he is a Nigerian.

F.—Miscellaneous

10.—(1) Where a conference is held in Nigeria and is attended by representatives of the foreign sovereign Powers forming the Alliance, the Commissioner for External Affairs may compile a list of representatives of the foreign sovereign Powers aforesaid attending the conference and members of their official staffs, and cause that list to be published in the Federal Gazette; and every representative aforesaid who is for the time being included in the list shall, for the purposes of this Order, be treated as if he were a foreign envoy and, subject to the provisions of this section, such of the members of his official staff as are for the time being included in the list shall be treated for the purpose aforesaid as if they were his retinue.

Conference lists.

(2) Whenever it appears to the Commissioner that any person ceases or begins to be qualified for inclusion in a list compiled under subsection (1) of this section, he may amend the list and cause a notice of the amendment or, if he thinks fit, an amended list to be published in the Federal Gazette.

(3) Every list or notice 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.

(4) A person who is a member of the official staff of a representative of the foreign sovereign Powers forming the Alliance and is a citizen of Nigeria and is not a national of one of the foreign sovereign Powers aforesaid shall not be entitled under the foregoing provisions of this section to any immunity except in respect of things done or omitted to be done in the course of the performance of his duties, and the name of a person whose immunity is limited by this subsection shall be entered in a separate part of any list compiled by the Commissioner aforesaid under subsection (1) of this section.

11. Where it appears to the Commissioner that any personal immunities conferred by law on a foreign envoy, the members of the families of any such envoy, members of his official or domestic staff, and the members of the families of his official staff, or on persons coming under section 10 of this Order, exceed in any respect those accorded in the territory of the foreign sovereign Power concerned to Nigerian representatives attending a conference of the Alliance, the Commissioner may, by order withdraw those personal immunities in the case of that Power to such extent and in respect of such classes of persons as appear to the Commissioner to be proper.

Power to amend lists where equal privileges not available to Nigerian members etc.

12. The staff of the Alliance shall, if not citizens of Nigeria, be entitled to first arrival privileges only.

First arrival privileges.

Citation,
repeal,
application
and
interpreta-
tion.
L.N. 25 of
1967.

13.—(1) This Order may be cited as the Diplomatic Immunities and Privileges (Cocoa Producers Alliance) Order 1969 and it shall have effect throughout the Federation.

(2) This Order is in substitution for the Diplomatic Immunities and Privileges (Cocoa Producers Alliance) Order 1967 and that order accordingly is hereby revoked.

(3) This order shall be deemed to have come into effect on 22nd January 1969.

(4) In this order, "the Commissioner" means the Commissioner for External Affairs.

MADE at Lagos this 8th day of April 1969.

OKOI ARIKPO,
Commissioner for External Affairs