

Zambia

## Diplomatic Immunities and Privileges Act, 1965

### Chapter 20

Legislation as at 31 December 1996

FRBR URI: /akn/zm/act/1965/30/eng@1996-12-31

There may have been updates since this file was created.

PDF created on 21 February 2024 at 18:21.

*Collection last checked for updates: 31 December 1996.*

[Check for updates](#)



#### About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from the Laws.Africa Legislation Commons, a collection of African legislation that is digitised by Laws.Africa and made available for free.

[www.laws.africa](http://www.laws.africa)  
[info@laws.africa](mailto:info@laws.africa)

There is no copyright on the legislative content of this document.  
This PDF copy is licensed under a Creative Commons Attribution 4.0 License (CC BY 4.0). Share widely and freely.

## Diplomatic Immunities and Privileges Act, 1965

### Contents

1. Short title .....	1
2. Interpretation .....	1
3. Application of the Vienna Convention .....	1
4. Immunities, privileges and capacities of certain international organisations and persons connected therewith .....	2
5. Immunities and privileges of judges of, and suitors to, the International Court of Justice .....	3
6. Diplomatic immunities of representatives attending international conferences .....	3
7. Immunities and privileges of consulates and persons connected therewith .....	3
8. Restriction of power of entry in relation to consular offices .....	3
9. Exemption from taxation of consular officers and consular employees .....	4
10. Waiver of immunities of consular officers and consular employees .....	4
11. Size of consulate .....	4
12. Restriction of immunities and privileges .....	4
12A. Power to control supplies of tax-free goods .....	4
13. Publication of lists of persons entitled to immunity .....	4
14. Identity cards .....	5
15. Evidence .....	5
16. Special provisions relating to customs duty .....	5
17. Power of Minister to add to or vary list of Commonwealth countries and to specify offices corresponding to consular offices .....	5
18. Repeal and saving .....	5
First Schedule (Section 3) .....	6
Second Schedule (Section 4) .....	11

## Zambia

# Diplomatic Immunities and Privileges Act, 1965

## Chapter 20

Commenced on 4 June 1965

*[This is the version of this document at 31 December 1996.]*

*[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.**

### 1. Short title

This Act may be cited as the Diplomatic Immunities and Privileges Act.

### 2. Interpretation

- (1) In this Act, unless the context otherwise requires—

**"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. Application of the Vienna Convention

- (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.
- (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. Immunities, privileges and capacities of certain international organisations and persons connected therewith**

- (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.
- (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. Immunities and privileges of judges of, and suitors to, the International Court of Justice**

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

## **6. Diplomatic immunities of representatives attending international conferences**

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—

- (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. Immunities and privileges of consulates and persons connected therewith**

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.

## **8. Restriction of power of entry in relation to consular offices**

- (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.
- (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.

- (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. Exemption from taxation of consular officers and consular employees**

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:

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. Waiver of immunities of consular officers and consular employees**

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

## **11. Size of consulate**

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.

## **12. Restriction of immunities and privileges**

- (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.
- (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.

### **12A. Power to control supplies of tax-free goods**

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.

*[As amended by Act No. 12 of 1977]*

## **13. Publication of lists of persons entitled to immunity**

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—

- (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. Identity cards**

- (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.
- (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. Evidence**

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.

#### **16. Special provisions relating to customs duty**

- (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.
- (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. Power of Minister to add to or vary list of Commonwealth countries and to specify offices corresponding to consular offices**

The Minister may by 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.

#### **18. Repeal and saving**

- (1) The Immunities and Privileges Act, 1956, is repealed.
- (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]*

*[Federal Act 31 of 1956]*

### **First Schedule (Section 3)**

#### **Articles of the Vienna Convention having the force of law in Zambia**

##### **Article 1**

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

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

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

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.

### 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 – 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.