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STATUTORY INSTRUMENTS

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**1984 No. 1978**

**The Consular Relations (Privileges and Immunities)  
(People's Republic of China) Order 1984**

*Members of a Consular Post and their Families*

- 2.—(1) Subject to the provisions of paragraph (2) of this Article and of Article 5—
- (a) the second sentence of Article 29 in Schedule 1 to the Act of 1964 (exemption from liability to arrest or detention) shall be extended to members of a consular post of the People's Republic of China and to members of their families forming part of their households, except that in the said second sentence the words “any form of arrest or detention” shall be deleted, and the words “arrest or detention pending trial” shall be substituted therefor;
  - (b) the third sentence of Article 29 in Schedule 1 to the Act of 1964 (protection) shall be extended to consular officers of the People's Republic of China;
  - (c) the first sentence of paragraph 1 of Article 31 in Schedule 1 to the Act of 1964 (immunity from criminal jurisdiction) shall be extended to members of a consular post of the People's Republic of China and to members of their families forming part of their households;
  - (d) the second sentence of paragraph 1 (including sub-paragraphs (a), (b) and (c)) of Article 31 in Schedule 1 to the Act of 1964 (immunity from civil and administrative jurisdiction), with the omission of the word “real” in sub-paragraph (a), shall be extended to members of the service staff of a consular post of the People's Republic of China, except that the immunity from jurisdiction:—
    - (i) shall apply only in respect of any act performed by them in the exercise of consular functions; and
    - (ii) shall not apply to a civil action either:
      - (A) arising out of a contract concluded by the member of the service staff in which he did not contract, expressly or impliedly, on behalf of the People's Republic of China; or
      - (B) by a third party for damage arising from an accident in the United Kingdom caused by a vehicle, vessel or aircraft;
  - (e) paragraph 2 of Article 31 in Schedule 1 to the Act of 1964 (exemption from duty to give evidence) shall be extended to members of the families of consular officers of the People's Republic of China forming part of their households;
  - (f) paragraph 3 of Article 31 in Schedule 1 to the Act of 1964 (exemption from liability to measures of execution) shall be extended to members of a consular post of the People's Republic of China and to members of their families forming part of their households, except that the reference in the said paragraph 3 to sub-paragraph (a) of paragraph 1 of Article 31 shall be taken to be a reference to that sub-paragraph as if the word “real” had been omitted therefrom.
- (2) The provisions of paragraph (1) of this Article shall not apply to any person who satisfies the conditions referred to in Article 4 below.