

L.N. 85 of 2015

Consular Relations (Additional Privileges and Immunities) (Japan) Order

(Made by the Chief Executive in Council under section 4(1) of the Consular Relations Ordinance (Cap. 557))

1. Commencement

This Order comes into operation on 17 July 2015.

2. Interpretation

In this Order—

Agreement (《協定》) means the Agreement on Consular Relations Between the People's Republic of China And Japan done at Beijing on 24 October 2008;

relevant provisions of the Agreement (《協定》有關條文) means the provisions of paragraphs 1, 2 and 5 of Article 6 and Article 7 of the Agreement as set out in the Schedule.

3. Additional privileges and immunities

It is declared that the additional privileges and immunities accorded to a consular post of Japan, or to persons connected with the consular post, or to both, under the relevant provisions of the Agreement, as read with the provisions of Article 1 (except paragraph (b)) of the Agreement as set out in the Schedule, have the force of law in Hong Kong.

Schedule

[ss. 2 & 3]

Provisions of the Agreement referred to in this Order

Article 1

For the purposes of the present Agreement, the following expressions shall have the meanings hereunder assigned to them:

- (a) “consular post” means any consulate-general, consulate, vice-consulate or consular agency;

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- (c) “head of consular post” means the person charged with the duty of acting in that capacity;
- (d) “consular officer” means any person, including the head of a consular post, entrusted in that capacity with the exercise of consular functions;
- (e) “consular premises” means the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used exclusively for the purposes of the consular post;
- (f) “consular archives” includes all the papers, documents, correspondence, books, films, tapes and registers of the consular post, together with the ciphers and codes, the card-indexes, the data stored in memory medium and any articles of furniture intended for their protection or safekeeping.

Article 6

1. Consular premises shall be inviolable.
2. The authorities of the receiving State shall not enter the consular premises except with the consent of the head of the consular post or of his or her designee, or of the head of the diplomatic mission of the sending State or of his or her designee.

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5. The residence of a consular officer shall enjoy the same inviolability and protection as the consular premises.

Article 7

The consular archives and documents shall be inviolable at all times and wherever they may be.

Kinnie WONG
Clerk to the Executive Council

COUNCIL CHAMBER

28 April 2015

Explanatory Note

This Order declares that the additional privileges and immunities accorded to a consular post of Japan, or to persons connected with the consular post, or to both, as specified in the Order, have the force of law in the Hong Kong Special Administrative Region.