

THE CONSULAR CONVENTIONS ACT

Law
24 of 1956.
Act
29 of 1964
S. 19 (2).

[30th May, 1956.]

1. This Act may be cited as the Consular Conventions Act. Short title.

2. In this Act—

Interpreta-
tion.

“consular employee” means any person employed at a Consulate for the performance of executive, administrative, clerical, technical or professional duties or as consular guard, messenger or driver of a vehicle whose name has been communicated by a consular officer to the Minister, but does not include any person employed on domestic duties;

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“consular office” means any building or part of a building which is exclusively occupied for the purpose of the official business of a consular officer;

“consular officer” means a consul-general, consul, vice-consul or consular agent representing a foreign State to whom an exequatur or provisional or other authorization to perform consular functions has been granted.

3.—(1) Notwithstanding the provisions of any enactment to the contrary, where any person who is a national of a State to which this section applies is named as executor in the will of a deceased person disposing of property in this Island, or is otherwise a person to whom a grant of representation to the estate in this Island of a deceased person may be made, then if the Court is satisfied, on the application of a consular officer of the said State, that the said

Powers of
consular
officers in
relation to
property
of deceased
persons.

national is not resident in this Island, and if no application for a grant of such representation is made by a person duly authorized by power of attorney to act for him in that behalf, the Court shall make to that officer any such grant of representation to the estate of the deceased as would be made to him if he were so authorized as aforesaid :

Provided that the Court may, if it thinks fit, postpone the making of a grant by virtue of this section during such period as the Court considers appropriate having regard to the circumstances of the case.

(2) Where any person who is a national of a State to which this section applies—

- (a) is entitled to payment or delivery of any money or property in respect of any interest in the estate of a deceased person, or vesting in possession on the death of any person, or is entitled to payment of any money becoming due on the death of any person; or
- (b) is a person to whom any money or property comprised in the estate of a deceased person may be paid or delivered in pursuance of any enactment, rule or regulation, whether passed or made before or after the commencement of this Act, authorizing the payment or delivery of such money or property without representation to the estate of the deceased being granted,

then if the said national is not resident in this Island, a consular officer of that State shall have the like right and power to receive and give a valid discharge for any such money or property in this Island as if he were duly authorized by power of attorney to act for him in that behalf :

Provided that no person shall be authorized or required by this subsection to pay or deliver any money or property to a consular officer if it is within his knowledge that any