STATUTORY INSTRUMENTS

1982 No. 1071

INTERNATIONAL IMMUNITIES AND PRIVILEGES

The Commonwealth Agricultural Bureaux (Immunities and Privileges) Order 1982

Laid before Parliament in draft

Made - - - -	30*th July* 1982
Coming into Operation	*On a date to be notified in the London, Edinburgh and Belfast Gazettes*

At the Court at Buckingham Palace, the 30th day of July 1982
Present,
The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been laid before Parliament in accordance with section 10(1) of the International Organisations Act 1968 (**a**) (hereinafter referred to as the Act) and has been approved by resolution of each House of Parliament:

Now, therefore, Her Majesty, by virtue and in exercise of the powers conferred on Her by section 1 of the Act or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

PART I

GENERAL

1. This Order may be cited as the Commonwealth Agricultural Bureaux (Immunities and Privileges) Order 1982. It shall come into operation on the date on which the Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Commonwealth Agricultural Bureaux (**b**) (hereinafter referred to as the Agreement) enters into force. The date shall be notified in the London, Edinburgh and Belfast Gazettes.

2.—(1) For the purposes of this Order, the official activities of the Commonwealth Agricultural Bureaux (hereinafter referred to as the Organisation) include its administrative activities.

(2) In this Order "the 1961 Convention Articles" means the Articles (being certain Articles of the Vienna Convention on Diplomatic Relations signed in 1961) which are set out in Schedule 1 to the Diplomatic Privileges Act 1964 (**c**);

(**a**) 1968 c.48; section 1 was amended by the International Organisations Act 1981 (c.9), section 1(1).
(**b**) Cmnd. 8509.
(**c**) 1964 c. 81.

PART II

THE ORGANISATION

3. The Organisation is an organisation of which Her Majesty's Government in the United Kingdom and the Governments of other sovereign Powers are members.

4. The Organisation shall have the legal capacities of a body corporate.

5. Within the scope of its official activities, the Organisation shall have exemption from taxes on income and capital gains.

6. The Organisation shall have exemption from duties (whether of customs or excise) and taxes on the importation of goods imported by or on behalf of the Organisation and necessary for the exercise of its official activities, such exemption to be subject to compliance with such conditions as the Commissioners of Customs and Excise may prescribe for the protection of the Revenue.

7. The Organisation shall have exemption from prohibitions and restrictions on importation or exportation of any publications of the Organisation imported or exported by it within the scope of its official activities.

8. The Organisation shall have relief, under arrangements made by the Commissioners of Customs and Excise, by way of refund of duty (whether of customs or excise) paid on imported hydrocarbon oil (within the meaning of the Hydrocarbon Oil Duties Act 1979 (a) or value added tax paid on the importation of such oil which is bought in the United Kingdom by the Organisation and necessary for the exercise of its official activities, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.

9. The Organisation shall have relief, under arrangements made by the Secretary of State, by way of refund of car tax and value added tax paid on the purchase of new motor cars of United Kingdom manufacture necessary for the official activities of the Organisation, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.

PART III

REPRESENTATIVES

10.—(1) Except in so far as in any particular case any privilege or immunity is waived by the Government which they represent, representatives of members of the Organisation shall enjoy, while exercising their functions and in the course of their journeys to and from the place of meetings convened by the Organisation:

(a) immunity from suit and legal process (even after the termination of their mission) in respect of acts, including words written or spoken, done by them in the exercise of their functions, except in the case of a motor traffic offence committed by a representative or in the case of damage caused by a vehicle belonging to or driven by him; and

(b) the like inviolability for all their official papers and documents as is accorded to diplomatic agents.

(a) 1979 c. 5.

(2) Part IV of Schedule 1 to the Act shall not operate so as to confer any privilege or immunity on the official staff of representatives, other than alternate representatives.

(3) Part IV of Schedule 1 to the Act shall not operate so as to confer any privilege or immunity on any member of the family of a representative or alternate representative.

(4) Neither the provisions of the preceding paragraphs of this Article, nor those of Part IV of Schedule 1 to the Act, shall operate so as to confer any privilege or immunity on any person as the representative or alternate representative of Her Majesty's Government in the United Kingdom or on any person who is a citizen of the United Kingdom and Colonies.

PART IV

OFFICERS

11. The Executive Director and all officers of the Organisation subject to its staff regulations, with the exception of persons in the domestic service of the Organisation and those recruited locally and assigned to hourly rates of pay, shall enjoy:

(a) as from the date on which the salaries and emoluments received by them as officers of the Organisation become subject to taxation by the Organisation for its benefit, exemption from income tax in respect of such salaries and emoluments, provided that nothing in this paragraph shall be interpreted as precluding such salaries and emoluments from being taken into account for the purpose of assessing the amount of taxation to be applied to income from other sources;

(b) unless they are citizens of the United Kingdom and Colonies or permanently resident in the United Kingdom, the like exemption from duties (whether of customs or excise) and taxes on the importation of furniture and personal effects (including one motor car each) which—

(i) at the time when they first enter the United Kingdom to take up their post, are imported for their personal use or for their establishment, and

(ii) were in their ownership or possession or which they were under contract to purchase immediately before they so entered the United Kingdom,

as in accordance with paragraph 1 of Article 36 of the 1961 Convention Articles is accorded to a diplomatic agent; and

(c) unless they are citizens of the United Kingdom and Colonies or permanently resident in the United Kingdom, and provided that the Organisation has established or joined a social security scheme, exemptions whereby for the purposes of the enactments relating to social security, including enactments in force in Northern Ireland—

(i) services rendered for the Organisation by them shall be deemed to be excepted from any class of employment in respect of which contributions or premiums under those enactments are payable, but

(ii) no person shall be rendered liable to pay any contribution or premium which he would not be required to pay if those services were not deemed to be so excepted.

N. E. Leigh,
Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order confers privileges and immunities on the Commonwealth Agricultural Bureaux, on representatives of its Member Governments and on its officers. These privileges and immunities are conferred in accordance with an Agreement which has been negotiated between the Government of the United Kingdon and the Commonwealth Agricultural Bureaux. The Order will enable the Government to give effect to the Agreement, which will enter into force on signature. The Order will come into operation on the date on which the Agreement enters into force.

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