STATUTORY INSTRUMENTS

1970 No. 1940

DIPLOMATIC AND INTERNATIONAL IMMUNITIES AND PRIVILEGES

The Eurocontrol (Immunities and Privileges) Order 1970

Laid before Parliament in draft

Made - - - -	*17th December* 1970
Coming into Operation	*On a date to be notified in the London, Edinburgh and Belfast Gazettes*

At the Court at Buckingham Palace, the 17th day of December 1970

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 of the International Organisations Act 1968(**a**) (hereinafter referred to as the Act) and has been approved by a 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:—

1.—(1) This Order may be cited as the Eurocontrol (Immunities and Privileges) Order 1970.

(2) This Order shall come into operation on the day on which the Additional Protocol to the "Eurocontrol" International Convention relating to Co-operation for the Safety of Air Navigation signed in Brussels on 6th July 1970(**b**) enters into force. This date shall be notified in the London, Edinburgh and Belfast Gazettes.

2.—(1) 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**).

(2) The Interpretation Act 1889(**d**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. The European Organisation for the Safety of Air Navigation (Eurocontrol) (hereinafter referred to as the Organisation) is an Organisation of which Her Majesty's Government in the United Kingdom and the governments of foreign sovereign Powers are members.

4. The Organisation shall have relief, under arrangements made either by the Secretary of State or by the Commissioners of Customs and Excise, by way of refund of customs duty paid on any hydrocarbon oils (within the

(**a**) 1968 c. 48. (**b**) Cmnd. 4499. (**c**) 1964 c. 81. (**d**) 1889 c. 63.

meaning of the Customs and Excise Act 1952(**a**)) which are bought in the United Kingdom and used for the official purposes of the Organisation, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.

5. The Organisation shall have relief, under arrangements made by the Secretary of State, by way of refund of purchase tax paid on any goods which are used for the official purposes of the Organisation, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.

6.—(1) Subject to the provisions of paragraph (2) of this Article, all officers and servants of the Organisation shall enjoy the like exemption from customs duties and taxes on the importation of articles which—

(i) at or about the time when the officer or servant first enters the United Kingdom as an officer or servant of the Organisation are imported for his personal use or that of members of his family forming part of his household, including articles intended for his establishment, and

(ii) are articles which were in his ownership or possession or that of such a member of his family immediately before he 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.

(2) The provisions of paragraph (1) of this Article shall not apply to any person who is a citizen of the United Kingdom and Colonies, a British subject by virtue of section 2, 13 or 16 of the British Nationality Act 1948(**b**) or the British Nationality Act 1965(**c**), or a British protected person within the meaning of the said Act of 1948.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order confers privileges in respect of customs duty and purchase tax on the European Organisation for the Safety of Air Navigation (Eurocontrol) and in respect of customs duty on officers and servants of the Organisation. It supplements section 2 of the Civil Aviation (Eurocontrol) Act 1962 (c. 8), as amended by section 12(1) of the International Organisations Act 1968, and gives effect to the relevant provisions of the " Eurocontrol " International Convention relating to Co-operation for the Safety of Air Navigation (Cmnd. 2114) signed on 13th December 1960 and of the Additional Protocol to that Convention (Cmnd. 4499) signed on 6th July 1970.

(**a**) 1952 c. 44. (**b**) 1948 c. 56. (**c**) 1965 c. 34.

SI 1970/1940
ISBN 0-11-001940-7

