STATUTORY INSTRUMENTS

1990 No. 2290

INTERNATIONAL IMMUNITIES AND PRIVILEGES

The European Commission and Court of Human Rights (Immunities and Privileges) (Amendment) Order 1990

Made - - - - *20th November 1990*

Coming into force *On a date to be notified in the London, Edinburgh and Belfast Gazettes*

At the Court at Buckingham Palace, the 20th day of November 1990

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 5 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 European Commission and Court of Human Rights (Immunities and Privileges) (Amendment) Order 1990.

(2) This Order shall come into force on the date when the Fifth Protocol to the General Agreement on Privileges and Immunities of the Council of Europe(b) enters into force with respect to the United Kingdom. That date shall be notified in the London, Edinburgh and Belfast Gazettes.

2. The European Commission and Court of Human Rights (Immunities and Privileges) Order 1970(c) shall be amended as follows:

(a) in Article 2(2) after the definition of "judges of the Court" the following definition shall be inserted—

"" members of the Commission" means members elected under Article 21 of the Convention;"

(b) after Part III there shall be added—

"PART IV

EXEMPTION FROM INCOME TAX

6. Members of the Commission and judges of the Court shall enjoy exemption from income tax in respect of emoluments paid to them by the Council of Europe as holders of those offices."

G. I. de Deney
Clerk of the Privy Council

(a) 1968 c.48. (b) Cm. 1121. (c) S.I. 1970/1941.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the European Commission and Court of Human Rights (Immunities and Privileges) Order 1970 (S.I. 1970/1941) in order to confer exemption from income tax on the members of the European Commission of Human Rights and judges of the European Court of Human Rights. It will enable Her Majesty's Government to give effect to the Fifth Protocol to the General Agreement on Privileges and Immunities of the Council of Europe (Cm. 1121).

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