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## STATUTORY INSTRUMENTS

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# 1975 No. 411

## The International Cocoa Organization (Immunities and Privileges) Order 1975

### PART II

#### THE ORGANIZATION

4. The International Cocoa Organization (hereinafter referred to as the Organization) is an organisation of which Her Majesty's Government in the United Kingdom and the Governments of foreign sovereign Powers are members.

5. The Organization shall have the legal capacities of a body corporate.

6.—(1) The Organization shall have immunity from suit and legal process except:—

- (a) to the extent that the Organization shall have expressly waived such immunity in a particular case;
- (b) in respect of a civil action by a third party for damage arising from an accident caused by a motor vehicle belonging to, or operated on behalf of, the Organization, or in respect of a motor traffic offence involving such a vehicle; or
- (c) in respect of the enforcement of an arbitration award made under Article 24 or Article 25 of the Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the International Cocoa Organization.

(2) The provisions of the preceding paragraph shall not prevent the taking of such measures as may be permitted by law in relation to the property and assets of the Organization in so far as they may be temporarily necessary in connection with the prevention of, and investigation into, accidents involving motor vehicles belonging to, or operated on behalf of, the Organization.

7.—(1) The Organization shall have the like inviolability of official archives as, in accordance with the 1961 Convention Articles, is accorded in respect of the official archives of a diplomatic mission.

(2) The Organization shall have the like inviolability of premises as, in accordance with the 1961 Convention Articles, is accorded in respect of the premises of a diplomatic mission, provided that nothing in this paragraph shall preclude service of legal process by post.

8. Within the scope of its official activities, the Organization shall have the like exemption or relief from taxes, other than customs duties and taxes on the importation of goods, as is accorded to a foreign sovereign Power.

9. The Organization shall have the like relief from rates on its official premises as, in accordance with Article 23 of the 1961 Convention Articles, is accorded in respect of the premises of a diplomatic mission.

10. The Organization shall have exemption from customs duties and taxes on the importation of goods imported by the Organization and necessary for the exercise of its official activities, or on the importation of any publications of the Organization imported by it, such exemption to be subject to

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compliance with such conditions as the Commissioners of Customs and Excise may prescribe for the protection of the Revenue.

**11.** The Organization shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods imported or exported by the Organization and necessary for the exercise of its official activities and in the case of any publications of the Organization imported or exported by it.

**12.** The Organization shall have relief, under arrangements made by the Commissioners of Customs and Excise, by way of refund of customs duty paid on any hydrocarbon oil (within the meaning of the Hydrocarbon Oil (Customs and Excise) Act 1971) which is bought in the United Kingdom and necessary for the exercise of the official activities of the Organization, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.

**13.** The Organization shall have relief, under arrangements made by the Secretary of State, by way of refund of car tax paid on any vehicles and value added tax paid on the supply of any goods or services which are necessary for the exercise of the official activities of the Organization, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.