
STATUTORY INSTRUMENTS

1977 No. 824

The International Fund for Agricultural Development (Immunities and Privileges) Order 1977

PART II

THE FUND

3. The International Fund for Agricultural Development (hereinafter referred to as the Fund) is an organisation of which the United Kingdom and foreign sovereign Powers are members.

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

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

- (a) to the extent that it shall, by a decision of the Executive Board, have waived such immunity in a particular case. However, the Fund shall be deemed to have waived such immunity if, upon receiving a request for waiver submitted either by the person or body before which the proceedings are pending, or by another party to the proceedings, it has not given notice, within two months after receipt of the request, that it does not waive immunity;
- (b) in respect of a civil action by a third party for loss, injury or damage arising from an accident caused by a vehicle belonging to or operated on behalf of the Fund, or in respect of a traffic offence involving such a vehicle;
- (c) in the event of the attachment, pursuant to the order of a court of law, of the salaries, wages or other emoluments owed by the Fund to a member of its staff; or
- (d) in respect of the enforcement of an arbitration award made under Article 11 of the Agreement establishing the Fund,

provided that no proceedings may be brought against the Fund by a Member or person acting for or deriving claims from a Member.

(2) The provisions of paragraph 1 of this Article shall not prevent the taking of such measures as may be permitted by law in relation to the execution of judgment against the Fund.

6. The Fund shall have the like inviolability of official archives and premises as in accordance with the 1961 Convention Articles is accorded in respect of the official archives and premises of a diplomatic mission.

7. The Fund 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.

8. The Fund shall have the like relief from rates as in accordance with Article 23 of the 1961 Convention Articles is accorded in respect of the premises of a diplomatic mission.

9. The Fund shall have exemption from customs duties and taxes on the importation of goods imported by the Fund for its official use in the United Kingdom, or on the importation of any publications of the Fund imported by it or on its behalf, 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.

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10. The Fund shall have exemption from prohibitions and restrictions on importation or exportation in the case of goods imported or exported by the Fund for its official use and in the case of any publications of the Fund imported or exported by it.

11. The Fund 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 official purposes of the Fund, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.

12. The Fund shall have relief, under arrangements made by the Secretary of State, by way of refund of car tax paid on any vehicle and value added tax paid on the supply of any goods which are necessary for the official purposes of the Fund, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.