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STATUTORY INSTRUMENTS

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**1988 No. 1298**

**The EUMETSAT (Immunities and Privileges) Order 1988**

**PART II**

**THE ORGANISATION**

4. The Organisation is an organisation of which the United Kingdom and other sovereign Powers are members.
5. The Organisation shall have the legal capacities of a body corporate.
- 6.—(1) The Organisation shall, within the scope of its official activities, have immunity from suit and legal process except in the following cases—
- (a) to the extent that the Council of the Organisation shall have expressly waived such immunity in a particular case;
  - (b) in respect of a civil action brought by a third party for damage arising from an accident caused by a motor vehicle or any other means of transport belonging to or operated on behalf of the Organisation, or in respect of a traffic offence involving such a vehicle or means of transport;
  - (c) for the execution of an arbitration award made under Article 14 of the Convention or Articles 21, 22 or 23 of the Protocol;
  - (d) in the event of the attachment or, in Scotland, arrestment, pursuant to a decision by the administrative or judicial authorities, of the salaries and emoluments including pensions, owed by the Organisation to a staff member or former staff member;
  - (e) in respect of a counter-claim directly connected with judicial proceedings instituted by the Organisation;
  - (f) in respect of any commercial activity in which the Organisation might engage.
- (2) The property of the Organisation, wherever located shall be immune—
- (a) from any form of requisition, confiscation or expropriation;
  - (b) from any form of sequestration and administrative or provisional judicial constraint, except in the cases provided for in paragraph (1) of this Article.
7. The Organisation shall have the like inviolability in respect of its archives as, in accordance with the 1961 Convention Articles, is accorded in respect of the official archives of a diplomatic mission.
8. Within the scope of its official activities, the Organisation, its property and income shall have exemption from taxes on income and capital gains.
9. The Organisation 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.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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**10.** The Organisation shall have exemption from duties (whether of customs or excise) and taxes on the importation by the Organisation of goods necessary for the exercise of the official activities of the Organisation, 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.

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

**12.** 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 and of value added tax paid on the supply of other goods or services of substantial value which are 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.