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STATUTORY INSTRUMENTS

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**1977 No. 825**

**DIPLOMATIC AND INTERNATIONAL  
IMMUNITIES AND PRIVILEGES**

**The International Monetary Fund  
(Immunities and Privileges) Order 1977**

*Laid before Parliament in draft*

*Made - - - -*

*11th May 1977*

*On dates to be  
notified in the*

*London, Edinburgh  
and Belfast Gazettes*

*Coming into Operation*

At the Court at Buckingham Palace, the 11th day of May 1977

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 (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 3(3) of the Bretton Woods Agreements Act 1945 and section 1 of the International Organisations Act 1968 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 International Monetary Fund (Immunities and Privileges) Order 1977.

- (a) (2) (a) Articles 1 to 6 of this Order shall come into operation on the date on which the Second Amendment to the Articles of Agreement of the International Monetary Fund(1) enters into force. This date shall be notified in the London, Edinburgh and Belfast Gazettes.
- (b) Article 7 of this Order shall come into operation on the date on which a Council is established under Article XII, Section 1 of the Articles of Agreement of the International Monetary Fund as amended(2) (hereinafter referred to as the Fund Agreement). This date shall be notified in the London, Edinburgh and Belfast Gazettes.

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(1) Cmnd. 6705.

(2) Cmnd. 6705.

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

3. Section 8 of Article IX of the Fund Agreement set out in Part I of the Schedule to the Bretton Woods Agreements Order in Council 1946 is hereby revoked.

4. The International Monetary Fund (hereinafter referred to as the Fund) is an organisations of which the United Kingdom and foreign sovereign Powers are members.

### **Representatives**

5.—(1) All Governors, Executive Directors, Alternates, members of committees, and representatives of Member States appointed to attend a meeting of the Executive Board under Article XII, Section 3(j) of the Fund Agreement shall enjoy immunity from suit and legal process with respect to acts performed by them in their official capacity except when the Fund waives this immunity.

(2) Part IV of Schedule I to the Act shall not operate so as to confer any immunity on the families of persons to whom this Article applies.

(3) Part IV of Schedule I to the Act shall not operate so as to confer any immunity on the official staff, other than advisers, of persons to whom this Article applies.

(4) This Article shall not operate so as to confer any immunity on any person as the representative of Her Majesty's Government in the United Kingdom or as a member of the staff of such a representative.

### **Officers**

6. All officers and employees of the Fund shall enjoy immunity from suit and legal process with respect to acts performed by them in their official capacity except when the Fund waives this immunity.

### **Representatives to the Council**

7.—(1) All Councillors, their Alternates and Associates shall enjoy immunity from suit and legal process with respect to acts performed by them in their official capacity except when the Fund waives this immunity.

(2) Part IV of Schedule I to the Act shall not operate so as to confer any immunity on the families of persons to whom this Article applies.

(3) Part IV of Schedule I to the Act shall not operate so as to confer any immunity on the official staff, other than advisers, of persons to whom this Article applies.

(4) This Article shall not operate so as to confer any immunity on any person as the representative of Her Majesty's Government in the United Kingdom or as a member of the staff of such a representative.

*N. E. Leigh*  
Clerk of the Privy Council

## EXPLANATORY NOTE

This Order confers upon representatives to and officers of the International Monetary Fund immunity from suit and legal process with respect to acts performed by them in their official capacity. The Order gives effect to the Second Amendment to the Articles of Agreement of the International Monetary Fund 1945 (Cmnd. 6705). Articles 1 to 6 of the Order will come into operation when that Amendment enters into force; Article 7 will come into operation when a Council is established under the Articles of Agreement.