



# Merchant Shipping and Maritime Security Act 1997

## 1997 CHAPTER 28

### *International bodies concerned with maritime matters*

#### **27 Application of s. 1 of International Organisations Act 1968 to International Oil Pollution Compensation Fund**

- (1) In this section “the 1971 Fund” means the International Oil Pollution Compensation Fund established by the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage opened for signature in Brussels on 18th December 1971.
- (2) The termination of the membership of Her Majesty’s Government in the United Kingdom of the 1971 Fund shall not affect the application to that Fund of section 1 of the International Organisations Act 1968.

#### **28 International Tribunal for the Law of the Sea**

- (1) In this section “the Tribunal” means the International Tribunal for the Law of the Sea established in accordance with Annex VI of the United Nations Convention on the Law of the Sea.
- (2) Except in so far as in any particular case any privilege or immunity is waived by the Tribunal, the members of the Tribunal shall enjoy, when engaged on the business of the Tribunal, the like privileges and immunities as, in accordance with the 1961 Convention Articles, are accorded to the head of a diplomatic mission.
- (3) In subsection (2)—
  - “the 1961 Convention Articles” means the Articles (being certain Articles of the Vienna Convention on Diplomatic Relations signed in 1961) which are set out in Schedule 1 to the Diplomatic Privileges Act 1964;
  - “head of a diplomatic mission” shall be construed in accordance with those Articles.

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*Status: This is the original version (as it was originally enacted).*

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- (4) The members of the Tribunal and the registrar of the Tribunal shall have exemption from income tax in respect of emoluments received by them as members or as the registrar.
- (5) Subsection (4) shall be taken to have come into force on 15th September 1996.
- (6) If in any proceedings a question arises whether a person is or is not entitled to any privilege or immunity by virtue of this section, a certificate issued by or under the authority of the Secretary of State stating any fact relating to that question shall be conclusive evidence of that fact.
- (7) Subsections (1) to (5) shall cease to have effect on the coming into force of the International Tribunal for the Law of the Sea (Immunities and Privileges) Order 1996 (which makes provision corresponding to subsections (1) to (4) but does not come into force until the United Nations Convention on the Law of the Sea enters into force in respect of the United Kingdom).