

1976 No. 216

**DIPLOMATIC AND INTERNATIONAL IMMUNITIES
AND PRIVILEGES****The European Centre for Medium-Range Weather Forecasts
(Immunities and Privileges) (Amendment) Order 1976***Laid before Parliament in draft**Made - - - - 18th February 1976**Coming into operation On a date to be notified
in the London, Edinburgh and Belfast
Gazettes.*

At the Court at Buckingham Palace, the 18th day of February 1976

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(1) of the International Organisations Act 1968^(a) (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 sections 1 and 10(3) of the Act, 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. This Order may be cited as the European Centre for Medium-Range Weather Forecasts (Immunities and Privileges) (Amendment) Order 1976. It shall come into operation on the date on which the Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the European Centre for Medium-Range Weather Forecasts^(b) enters into force. This date shall be notified in the London, Edinburgh and Belfast Gazettes.

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

3. The European Centre for Medium-Range Weather Forecasts (Immunities and Privileges) Order 1975^(d) shall be amended as follows:

(a) In Article 6(2), after the word "mission" there shall be inserted the words "provided that nothing in this paragraph shall preclude service of legal process by post";

(b) Article 13 shall be replaced by the following:

" 13.—(1) Except in so far as in any particular case any privilege or immunity is waived by the Government of the Member State whom they

(a) 1968 c. 48. (b) Cmnd. 6368. (c) 1889 c. 63. (d) S.I. 1975/158 (1975 I, p. 428).

represent, representatives of Member States of the Centre attending meetings of the Council of the Centre or of the Finance Committee, and members of the Scientific Advisory Committee attending meetings of that Committee, shall enjoy:—

(a) immunity from suit and legal process in respect of things done or omitted to be done by them in the exercise of their functions, except in the case of a traffic offence committed by them or in the case of damage caused by a vehicle belonging to or driven by them;

(b) while exercising their functions and during their journeys to and from the place of meetings:

- (i) the like immunity from personal arrest or detention as is accorded to a diplomatic agent, provided that they shall not enjoy such immunity if there are reasonable grounds for suspecting that they are in the course of committing, attempting to commit, or have just committed an offence;
- (ii) the like immunity for all their official papers and documents as is accorded to a diplomatic agent; and
- (iii) the like exemptions and privileges in respect of their personal baggage as, in accordance with Article 36 of the 1961 Convention Articles, are accorded to a diplomatic agent.

(2) Part IV of Schedule 1 to the Act shall not operate so as to confer any privilege or immunity on the official staff of representatives, other than their alternates and advisers, or of members of the Scientific Advisory Committee.

(3) Neither the provisions of the preceding paragraphs of this Article, nor those of Part IV of Schedule 1 to the Act, shall operate so as to confer any privilege or immunity on any person as the representative or alternate representative of, or adviser to, Her Majesty's Government in the United Kingdom or on any person who is a citizen of the United Kingdom and Colonies.

(4) Part IV of Schedule 1 to the Act shall not operate so as to confer any privilege or immunity on families of representatives, alternate representatives or advisers, or of members of the Scientific Advisory Committee.”

N. E. Leigh.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the European Centre for Medium-Range Weather Forecasts (Immunities and Privileges) Order 1975 in order to enable legal process to be served on the Centre, to apply the provisions regarding representatives to advisers and to members of the Scientific Advisory Committee and to accord to them (as well as to representatives and alternate representatives) the same customs facilities as are accorded to diplomatic agents. These amendments are required by the provisions of a Headquarters Agreement the text of which has been agreed between the Government of the United Kingdom and the Centre (Cmd. 6368). This Order will enable Her Majesty's Government to give effect to the Headquarters Agreement which will enter into force on signature.

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