
STATUTORY INSTRUMENTS

2004 No. 1282

**The Preparatory Commission for the Comprehensive
Nuclear-Test-Ban Treaty Organization
(Immunities and Privileges) Order 2004**

PART II

The Commission

3. The Commission is an organisation of which the United Kingdom and other sovereign Powers are members.

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

5. The Commission shall enjoy immunity from suit and legal process, including in respect of its property and assets, except in so far as the Commission has expressly waived such immunity in any particular case. No waiver of immunity shall be deemed to extend to any measure of execution.

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

7. Within the scope of its official activities, the Commission shall have exemption from taxes on income and capital gains, including in respect of its property and income.

8. The Commission shall have the like relief from non-domestic 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.

9. The Commission shall have relief, under arrangements made by the Secretary of State, by way of refund of value added tax paid on the purchase of new vehicles which are necessary for the official activities of the Commission, and of value added tax paid on the supply of any other goods and services of substantial value which are necessary for the official activities of the Commission, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.

10. The Commission shall have relief, under arrangements made by the Secretary of State, by way of refund of insurance premium tax and air passenger duty paid by the Commission in the exercise of its official activities.

11. The Commission shall have exemption from duties (whether of customs or excise) and taxes on the importation of goods imported by the Commission and necessary for the exercise of its official activities, 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.

12. The Commission shall have exemption from prohibitions and restrictions on importation or exportation of goods by the Commission and necessary for the exercise of its official activities, and in the case of any publication of the Commission imported or exported by it within the scope of its official activities, except where the prohibitions or restrictions arise from European Community law.

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13. The Commission shall have relief, under arrangements made by the Commissioners of Customs and Excise, by way of refund of duty (whether of customs or excise) paid on imported hydrocarbon oil within the meaning of the Hydrocarbon Oil Duties Act 1979⁽¹⁾ or value added tax paid on the importation of such oil which is bought in the United Kingdom by the Commission and necessary for the exercise of its official activities, such relief to be subject to compliance with such conditions as may be imposed in accordance with the arrangements.

⁽¹⁾ 1979 c. 5.