

1976 No. 224

**DIPLOMATIC AND INTERNATIONAL IMMUNITIES
AND PRIVILEGES****The OECD Financial Support Fund (Immunities and
Privileges) Order 1976***Laid before Parliament in draft*

Made - - - - 18th February 1976
Coming into operation On a date to be notified
in the London, Edin-
burgh 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) 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 1 of the said 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 OECD Financial Support Fund (Immunities and Privileges) Order 1976. It shall come into operation on the date on which the Agreement establishing a Financial Support Fund of the Organisation for Economic Co-operation and Development(b), opened for signature at Paris on 9th April 1975, enters into force in respect of the United Kingdom. This date shall be notified in the London, Edinburgh and Belfast Gazettes.

2.—(1) In this Order “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(c).

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

3. The Financial Support Fund of the Organisation for Economic Co-operation and Development (hereinafter referred to as the Fund) is an

(a) 1968 c. 48.

(b) Cmnd. 6242.

(c) 1964 c. 81.

(d) 1889 c. 63.

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organisation of which the United Kingdom and foreign sovereign Powers are members.

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

5.—(1) The Fund shall have immunity from suit and legal process except:

(a) to the extent that the Governing Committee of the Fund shall have expressly waived such immunity in a particular case; or

(b) if the Fund has borrowed money or issued securities in the United Kingdom, in respect of any proceedings (other than proceedings brought against the Fund by any member, or any agency of a member, or any person acting for or deriving claims from a member or an agency of a member) arising out of or in connection with the exercise of any of the powers of the Fund to borrow money or to buy and sell securities.

(2) The provisions of paragraph (1) of this Article shall not prevent the taking of such measures as may be permitted by law in relation to the execution of judgment against the Fund.

6. The Fund 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 Fund shall have the like exemption or relief from taxes, other than customs duties and taxes on the importation of goods, as is accorded to a foreign sovereign Power.

8. The Fund 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.

N. E. Leigh.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order confers certain privileges and immunities upon the OECD Financial Support Fund. It will enable the United Kingdom to give effect to Article XVII of the Agreement establishing the Fund (Cmd. 6242) opened for signature at Paris on 9th April 1975. It will come into operation on the date on which the Agreement enters into force with respect to the United Kingdom.

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