

SCHEDULE 12

EUROPEAN ORGANIZATION FOR NUCLEAR RESEARCH

The Organisation

2. In the exercise of the official activities of the Organisation, the Organisation shall enjoy immunity from suit and legal process except—

- (a) in so far as such immunity is waived in a particular case by the Council of the Organisation;
- (b) in respect of a civil action by a third party for damage arising from an accident caused by a motor vehicle belonging to, or operated on behalf of, the Organisation or in respect of a motor traffic offence involving such a vehicle;
- (c) in respect of the enforcement of an arbitration award made under Article 16 or 18 of the EONR Protocol;
- (d) in respect of any counter-claim directly connected with court proceedings initiated by the Organisation.

3. The Organisation's property and assets shall enjoy immunity from suit and legal process except—

- (a) in so far as such immunity is waived in a particular case by the Council of the Organisation;
- (b) in so far as the property or assets may be temporarily necessary in connection with the prevention or investigation of accidents involving motor vehicles belonging to, or operated on behalf of, the Organisation;
- (c) in respect of an attachment order against the salaries, wages and emoluments owed by the Organisation to an official of the Organisation.

4.—(1) The Organisation shall have the like inviolability of official archives and premises as, in accordance with the 1961 Convention Articles, is accorded in respect of the official archives and premises of a diplomatic mission.

(2) The exception is that the premises of the Organisation may be entered by an agent of the competent authorities with the express consent of the Director-General of the Organisation or a duly authorised representative (and such consent shall be presumed if it is not practicable to contact the Director-General in the case of fire or other disaster requiring prompt protective action).

5.—(1) The Organisation shall have exemption from prohibitions and restrictions on importation or exportation of goods by the Organisation which are necessary for the exercise of its official activities, except where the prohibitions or restrictions arise from European Community law.

(2) Sub-paragraph (1) shall not apply as respects the matters reserved by virtue of Section C5 (import and export control) of Part II of Schedule 5 to the Scotland Act 1998(1).

(1) 1998 c. 46.