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UNITED NATIONS JURIDICAL YEARBOOK

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Part One. Legal status of the United Nations and related intergovernmental organizations

Chapter I. Legislative texts concerning the legal status of the United Nations and related intergovernmental organizations



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Chapter I

LEGISLATIVE TEXTS CONCERNING THE LEGAL STATUS OF THE UNITED NATIONS AND RELATED INTERGOVERNMENTAL ORGANIZATIONS

1. Australia

INTERNATIONAL ORGANIZATIONS (DECLARATION) REGULATIONS^{1*}

I, the Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *International Organizations (Privileges and Immunities) Act 1963*.²

Dated 4 November 1981.

ZELMAN COWEN
Governor-General

By his Excellency's Command,

A. A. STREET
Minister of State for Foreign Affairs

Citation

1. These Regulations may be cited as the International Organizations (Declaration) Regulations.

Interpretation

2. In these Regulations, "the Act" means the *International Organizations (Privileges and Immunities) Act 1963*.

International organizations to which the Act applies

3. Each of the organizations specified in the Schedule is declared to be an international organization to which the Act applies.

SCHEDULE

Regulation 3

Food and Agriculture Organization of the United Nations
Inter-Governmental Committee for European Migration
Inter-Governmental Maritime Consultative Organization
International Bank for Reconstruction and Development
International Civil Aviation Organization
International Development Association
International Finance Corporation
International Hydrographic Bureau
International Institute of Refrigeration
International Labour Organization
International Monetary Fund
International Telecommunication Union
International Tin Council

* The notes to each chapter are to be found at the end of that particular chapter.

International Union for the Protection of Industrial Property
 International Union for the Protection of Literary and Artistic Works
 United Nations
 United Nations Educational, Scientific and Cultural Organization
 Universal Postal Union
 World Health Organization
 World Meteorological Organization

2. New Zealand

THE CUSTOMS TARIFF (UNESCO AGREEMENT) AMENDMENT ORDER 1981³

David Beattie, Governor-General

Order in Council

At the Government Buildings at Wellington this 19th day of October 1981

Present:

The Right Hon. R. D. Muldoon presiding in Council

Pursuant to section 125 of the Customs Act 1966, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. *Title and commencement* — (1) This order may be cited as the Customs Tariff (UNESCO Agreement) Amendment Order 1981.

(2) This order shall come into force on the 1st day of December 1981.

2. *Tariff amended* — Part II of the Customs Tariff is hereby amended by revoking reference number 30, and the description and rates of duty to which this number relates, and substituting the reference number, description, and rates of duty specified in the Schedule hereto.

SCHEDULE

PROVISIONS SUBSTITUTED IN PART II OF THE CUSTOMS TARIFF (Concessions)

Reference Number	Goods	Rates of Duty	
		Normal Tariff	Preferential Tariff
30	Goods for educational, scientific or cultural purposes:		
	(a) Goods of classes included in Annex B and Annex C Item (v) of the UNESCO Agreement on the Importation of Educational, Scientific and Cultural Materials ⁴ when imported by or for educational, scientific, or cultural institutions for their own use	Free	..
	(b) Goods of classes included in Annex A, and Annex B Items (i) and (ii) of the Protocol to the UNESCO Agreement on the Importation of Educational, Scientific and Cultural Materials ⁵	Free	..
	(c) Goods of classes included in Annex B Item (iii) and Annexes C.2, D, E, and G of the Protocol to the Unesco Agreement on the Importation of Educational, Scientific and Cultural Materials when imported by or for educational, scientific or cultural institutions	Free	..

P. G. MILLEN
 Clerk of the Executive Council

3. United Kingdom of Great Britain and Northern Ireland

INTERNATIONAL ORGANISATIONS ACT 1981

1981 CHAPTER 9

An Act to make further provision as to the privileges and immunities to be accorded in respect of certain international organisations and in respect of persons connected with such organisations and other persons; and for purposes connected therewith.

[15th April 1981]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: —

1. (1) In section 1 of the 1968 Act⁶ (privileges and immunities for international organisations of which the United Kingdom and foreign sovereign Powers are members) —

(a) in subsection (1), the following paragraph is substituted for paragraph (b) —

“(b) any other sovereign Power or the Government of any other sovereign Power.”; and

(b) in subsection (6), for the words “one or more other foreign sovereign Powers or Governments” there are substituted the words “any other sovereign Power or Government”.

(2) In section 4 of that Act (other organisations of which the United Kingdom is not a member) the word “foreign”, in the first place where it occurs, shall cease to have effect.

(3) In section 6 of that Act (international conferences attended by representatives of the United Kingdom and foreign sovereign Powers) —

(a) in subsection (1), the following paragraph is substituted for paragraph (b) —

“(b) of any other sovereign Power or the Government of any other sovereign Power.”; and

(b) in subsection (2) for the words “a foreign sovereign Power” there are substituted the words “a sovereign Power (other than the United Kingdom)”.

2. The following section is hereby inserted in the 1968 Act after section 4 —

4A. (1) In this section, “international commodity organisation” means any such organisation as is mentioned in section 4 of this Act (international organisations of which the United Kingdom is not a member) which appears to Her Majesty to satisfy each of the following conditions —

(a) that the members of the organisation are States or the Governments of States in which a particular commodity is produced or consumed;

(b) that the exports or imports of that commodity from or to those States account (when taken together) for a significant volume of the total exports or imports of that commodity throughout the world; and

(c) that the purpose or principal purpose of the organisation is —

(i) to regulate trade in that commodity (whether as an import or an export or both) or to promote or study that trade; or

(ii) to promote research into that commodity or its uses or further development.

(2) Subject to the following provisions of this section, an Order made under section 4 of this Act with respect to an international commodity organisation may, for the purpose there mentioned and to such extent as may be specified in the Order —

(a) provide that the organisation shall have the privileges and immunities set out in paragraphs 2, 3, 4, 6 and 7 of Schedule 1 to this Act;

(b) confer on persons of any such class as is mentioned in subsection (3) of this section the privileges and immunities set out in paragraphs 11 and 14 of that Schedule;

(c) provide that the official papers of such persons shall be inviolable; and

(d) confer on officers and servants of the organisation of any such class as may be specified in the Order the privileges and immunities set out in paragraphs 13, 15 and 16 of that Schedule.

(3) The classes of persons referred to in subsection (2)(b) of this section are —

(a) persons who (whether they represent Governments or not) are representatives to the organisation or representatives on, or members of, any organ, committee or other subordinate body of the organisation (including any sub-committee or other subordinate body of a subordinate body of the organisation);

(b) persons who are members of the staff of any such representative and who are recognised by Her Majesty's Government in the United Kingdom as holding a rank equivalent to that of a diplomatic agent.

(4) An Order in Council made under section 4 of this Act shall not confer on any person of such class as is mentioned in subsection (3) of this section any immunity in respect of a civil action arising out of an accident caused by a motor vehicle or other means of transport belonging to or driven by such a person, or in respect of a traffic offence involving such a vehicle and committed by such a person.

(5) In this section "commodity" means any produce of agriculture, forestry or fisheries, or any mineral, either in its natural state or having undergone only such processes as are necessary or customary to prepare the produce or mineral for the international market."

3. The following section is hereby inserted in the 1968 Act after section 5 —

5A. (1) An Order in Council made under section 1 of this Act in respect of any organisation, or under section 4 of this Act in respect of an international commodity organisation, may to such extent as may be specified in the Order, and subject to the following provisions of this section, —

(a) confer on persons of any such class as may be specified in the Order, being persons who are or are to be representatives (whether of Governments or not) at any conference which the organisation may convene in the United Kingdom —

(i) in the case of an Order under section 1, the privileges and immunities set out in Part II of Schedule 1 to this Act;

(ii) in the case of an Order under section 4, the privileges and immunities set out in paragraphs 11 and 14 of that Schedule; and

(b) in the case of an Order under section 4, provide that the official papers of such persons shall be inviolable.

(2) Where in the exercise of the power conferred by subsection (1)(a) of this section an Order confers privileges and immunities on persons of any such class as is mentioned in that paragraph, the provisions of paragraphs 19 to 22 of Schedule 1 to this Act shall have effect in relation to the members of the official staffs of such persons as if in paragraph 19 of that Schedule "representative" were defined as a person of such a class.

(3) The powers exercisable by virtue of this section may be exercised notwithstanding the provisions of any such agreement as is mentioned in section 1(6)(a) or 4 of this Act, but no privilege or immunity may thereby be conferred on any such representative, or member of his staff, as is mentioned in section 1(6)(b) of this Act.

(4) In this section "international commodity organisation" has the meaning given by section 4A(1) of this Act.

(5) This section is without prejudice to section 6 of this Act."

4. Notwithstanding section 1(6)(b) of the 1968 Act (Orders under section 1 not to confer privileges or immunities on representatives of the United Kingdom, etc.), an Order in Council

made under section 1 of that Act may confer immunities on representatives of the United Kingdom to the Assembly of Western European Union or to the Consultative Assembly of the Council of Europe.

5. (1) After paragraph 9 of Schedule 1 to the 1968 Act there is inserted the following paragraph —

“9A. The like inviolability of official premises as is accorded in respect of the premises of a diplomatic mission.”.

(2) In paragraph 10 of that Schedule (exemption from customs duties and taxes for representatives to organisations) after the words “for his establishment” there are inserted the words “and the like privilege as to the importation of such articles”.

(3) In paragraph 16 of that Schedule (exemption from customs duties and taxes for officers, etc. of organisations) before the words “as in accordance with” there are inserted the words “and the like privilege as to the importation of such articles”.

6. (1) This Act may be cited as the International Organisations Act 1980; and this Act and the 1968 Act may be cited together as the International Organisations Acts 1968 and 1980.

(2) In this Act “the 1968 Act” means the International Organisations Act 1968.

(3) It is hereby declared that this Act extends to Northern Ireland.

(4) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

SCHEDULE

REPEALS

[Not reproduced.]

NOTES

¹ S.R. 1981, No. 325. Notified in the *Commonwealth of Australia Gazette* on 13 November 1981.

² Reproduced in the *Juridical Yearbook*, 1963, p. 3.

³ Issued under the authority of the Regulations Act 1936. Date of notification in the *Gazette*: 22 October 1981. This order makes provision for duty free entry of certain educational, scientific and cultural materials and goods to give effect to New Zealand's acceptance of the Protocol to the UNESCO Agreement on the Importation of Educational, Scientific and Cultural Materials.

⁴ United Nations, *Treaty Series*, vol. 131, p. 25.

⁵ See *Records of the General Conference, Nineteenth Session*, Nairobi, 26 October–30 November 1976, volume 1, resolutions.

⁶ Reproduced in the *Juridical Yearbook*, 1968, p. 20.