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FRIDAY, 28 JUNE, 1946

At the Court at *Buckingham Palace*, the 26th day of *June*, 1946.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by Section I of the Diplomatic Privileges (Extension) Act, 1944 (7 and 8 Geo. VI. Ch. 44) (hereinafter referred to as the Act) it is enacted that the provisions of that Section shall apply to any organisation declared by Order in Council to be an organisation of which His Majesty's Government in the United Kingdom and the Government or Governments of one or more foreign sovereign powers are members and that His Majesty may, by Order in Council, provide that any such organisation shall, to the extent specified in the Order, have the immunities and privileges set out in Part I of the Schedule to the Act and confer upon representatives of member Governments on the Governing Body of the Organisation, and upon officers and servants of the Organisation, the immunities and privileges set out in Parts II or III of the said Schedule to the extent specified in the Order:

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by the aforesaid Act or otherwise in His Majesty vested, is pleased by and with the advice of His Privy Council to order and it is hereby ordered as follows:—

Article 1.

The European Coal Organisation (hereinafter referred to as the Organisation) is an Organisation of which His Majesty's Government in the United Kingdom and the Governments of foreign sovereign powers are members.

Article 2.

The Organisation shall have the immunities and privileges set forth in Part I of the Schedule to the Act and the legal capacities of a body corporate.

Article 3.

One representative of each member Government on the Council of the Organisation being a person nominated by a member Government shall, provided that he is not in any case a British subject and save to the extent to which in any case the Government of such representative may see fit to waive any immunity or privilege and without prejudice to any immunities and privileges which such person may be entitled to claim by virtue of any other office which he may from time to time hold, have all the immunities and privileges specified in Part II of the Schedule to the Act for the period for which his name appears as a person so entitled on the list compiled by the Secretary of State in accordance with sub-section (3) of Section I of the Act.

Article 4.

Officers of the Organisation holding the offices of Chairman or Vice-Chairman, not being British subjects and not exceeding at any one time five in number, and the Secretary-General of the Organisation, not being a British subject, shall, for the period

for which their names appear as persons so entitled on the list compiled by the Secretary of State in accordance with sub-section (3) of Section I of the Act, have all the immunities and privileges specified in Part II of the Schedule to the Act save to the extent that the Organisation may in any case waive any of the said immunities or privileges.

Article 5.

(1) The persons to whom this Article applies shall have the immunities and privileges specified in paragraph 1 and, if they are nationals or citizens of, or belong to, any part of His Majesty's dominions outside the United Kingdom, those specified in paragraph 2 (a) of Part III of the Schedule to the Act:

Provided that

(i) in the case of persons referred to in sub-paragraph (a) of paragraph 2 of this Article, the Government appointing such representatives may waive any immunity or privilege;

(ii) in the case of persons referred to in sub-paragraph (b) of paragraph 2 of this Article, the Organisation may waive any immunity or privilege; and

(iii) the exemption or relief from taxes and rates, specified in the said paragraph 2 (a) of Part III of the Schedule shall not extend to any person whose usual place of abode is in the United Kingdom.

(2) This Article applies to (a) British subjects who are the representatives of member Governments on the Council of the Organisation; and (b) British subjects who hold any of the offices in the Organisation referred to in Article 4 hereof.

Article 6.

(1) The persons to whom this Article applies shall have the immunities and privileges specified in paragraph 1 and paragraph 2 (b) of Part III of the Schedule to the Act:

Provided that—

(i) the Organisation may waive any immunity or privilege; and

(ii) the exemption from Income Tax specified in the said paragraph 2 (b) of Part III of the Schedule shall not extend to any British subject whose usual place of abode is in the United Kingdom.

(2) This Article applies to the following officers of the Organisation: namely all Directors, all Chiefs of Sections and all Members of Sections.

Article 7.

All officers of the Organisation other than those referred to in Articles 4, 5 and 6 above shall have the exemption from Income Tax specified in paragraph 2 (b) of Part III of the Schedule to the Act:

Provided that—

(i) the Organisation may waive any privilege; and

(ii) this privilege shall not extend to any British subject whose usual place of abode is in the United Kingdom.

Article 8.

This Order may be cited as "The Diplomatic Privileges (the European Coal Organisation) Order