
GENERAL NOTICE

NOTICE 864 OF 2008

In accordance with the powers vested in me by section 5(3) of the Diplomatic Immunities and Privileges Act, 2001 (Act No. 37 of 2001) ("the Act"), I hereby recognise the Cape Town Component of the International Centre for Genetic Engineering and Biotechnology (ICGEB) and in terms of section 7(2) of the Act I do hereby confer on the Cape Town Component of the ICGEB and its officials the following immunities and privileges, which shall continue until such time as a Headquarters Agreement is concluded with the ICGEB:

1. Legal personality

The Government recognises the juridical personality of the ICGEB and in particular its capacity:

- a. to contract;
- b. to acquire and dispose of immovable and movable property; and
- c. to institute juridical proceedings.

2. Inviolability of the premises and archives of the ICGEB

2.1. The premises of the ICGEB are inviolable provided that they are not used in any manner incompatible with the mandate of the ICGEB.

2.2. The property and assets of the ICGEB, wherever located and by whosoever held, shall enjoy immunity from every form of legal process, except insofar as in any particular case immunity shall have expressly been waived by the Director of the ICGEB Cape Town Component. Waiver of immunity from legal process shall not be held to imply waiver of immunity in respect of any measure of execution, for which a separate waiver shall be necessary.

2.3. The archives of the ICGEB belonging to, or held by, it shall be inviolable.

3. Exemption from Taxation

3.1. With respect to all official activities, the ICGEB, its assets, income and property shall be exempt from all forms of direct taxation; however, the ICGEB shall not claim exemption from taxes which are no more than charges for public utility services.

3.2. The ICGEB shall be exempt from customs duties, prohibitions and restrictions on goods imported or exported for its official purposes, including publications; it is understood, however, that articles imported under such exemption will not be sold in the Republic of South Africa except under conditions agreed to with the Government.