

No. 9498

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
INTERNATIONAL WHEAT COUNCIL**

Headquarters Agreement. Signed at London on 28 November 1968

Authentic text : English.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
8 April 1969.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
CONSEIL INTERNATIONAL DU BLÉ**

Accord de siège. Signé à Londres le 28 novembre 1968

Texte authentique : anglais.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
8 avril 1969.*

HEADQUARTERS AGREEMENT ¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE INTERNATIONAL WHEAT COUNCIL

The Government of the United Kingdom of Great Britain and Northern Ireland and the International Wheat Council ;

Having regard to paragraph (2) of Article 33 of the Wheat Trade Convention 1967, open for signature at Washington from 15 October, 1967 until 30 November, 1967 ; ²

Desiring to define the status, privileges and immunities of the Council and the Food Aid Committee ;

Have agreed as follows :

Article 1

(1) This Agreement shall be interpreted in the light of its primary objective of enabling the Council and the Food Aid Committee at their Headquarters in the United Kingdom fully and efficiently to discharge their responsibilities and fulfil their purposes and functions.

(2) The term “ the Organisation ” is herein used to refer to the International Wheat Council or the Food Aid Committee as appropriate.

Article 2

The International Wheat Council and the Food Aid Committee shall have legal personality. They shall in particular have the capacity to contract, acquire, and dispose of movable and immovable property and to institute legal proceedings.

Article 3

(1) The premises of the Organisation shall be inviolable. The Government of the United Kingdom (herein referred to as “ the Government ”) are under a special duty to take all appropriate steps to protect the premises of the Organisation against any intrusion or damage and to prevent any disturbance of the peace of the Organisation or impairment of its dignity.

¹ Came into force on 28 November 1968 by signature, in accordance with article 28 (1).

² United Nations, *Treaty Series*, Vol. 727 (I-10455).

(2) The location of the premises and the archives of the Organisation shall be made known to the Government by the Executive Secretary who shall also inform the Government of any change in the location or extent of such premises or archives and of any temporary occupation of premises for the fulfilment of its official functions. Where premises are temporarily used or occupied by the Organisation for the fulfilment of its official functions, these premises shall, with the agreement of the appropriate authorities, be accorded the status of premises of the Organisation.

(3) No official of the Government or person exercising any public authority shall enter the premises of the Organisation except with the consent of and under conditions approved by the Executive Secretary. No service (other than attempted service by post) or execution of any legal process or any ancillary act such as the seizure of private property, shall take place within the premises of the Organisation except with the express consent of and under conditions approved by the Executive Secretary. Process sent by post addressed to the Organisation shall not be regarded as effecting service.

(4) Without prejudice to the terms of this Agreement, the Organisation shall not permit the premises of the Organisation to become a refuge from justice for persons who are avoiding arrest or service of legal process under the law of the United Kingdom or against whom an order of extradition or deportation has been issued by the appropriate authorities.

Article 4

(1) The Government undertake to assist the Organisation in the acquisition of premises by gift, purchase or lease or the hire of premises at such time as they may be needed.

(2) The Government shall do their utmost to ensure that the premises shall be supplied with necessary public services, including electricity, water, sewerage, gas, post, telephone, telegraph, drainage, collection of refuse and fire protection and that such public services shall be supplied on reasonable terms.

Article 5

The Organisation shall be entitled to display its flag and emblem on the premises and means of transport of the Organisation and of the Executive Secretary.

Article 6

The archives of the Organisation shall be inviolable. The term archives includes all records, correspondence, documents, manuscripts, photographs, films and recordings belonging to or held by the Organisation.

Article 7

(1) The Organisation shall have immunity from jurisdiction and execution except :

- (a) to the extent that the Organisation shall have expressly waived such immunity in a particular case ; or
- (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 an enforcement of an arbitration award made either under Article 23, Article 24 or Article 27.

(2) The Organisation's property and assets wherever situated shall be immune from any form of requisition, confiscation, expropriation and sequestration. They shall also be immune from any form of administrative or provisional judicial constraint, except insofar as may be temporarily necessary in connection with the prevention of, and investigation into, accidents involving motor vehicles belonging to, or operated on behalf of, the Organisation.

Article 8

(1) Within the scope of its official activities, the Organisation and its property and income shall be exempt from all direct taxes. Direct taxes include :

- (a) income tax and surtax ;
- (b) capital gains tax ;
- (c) corporation tax ;
- (d) selective employment tax ;
- (e) municipal rates levied on the premises of the Organisation except the proportion which, as in the case of diplomatic missions, represents payment for specific services rendered.

The municipal rates referred to in sub-paragraph (e) shall in the first instance be paid by the appropriate authorities and the proportion which represents payment for specific services rendered shall be recovered by them from the Organisation.

(2) The Organisation shall be accorded a refund of the tax element in the price paid for purchases strictly necessary for its official activities. In this connection, the purchases envisaged are those made on a recurring basis or involving considerable quantities of goods, commodities or materials, or those involving considerable expenditure such as the furnishing of the premises of the Organisation or the principal residence of the Executive Secretary. The Organisation shall be accorded a refund of the excise duty element included in the price of spirits of United Kingdom origin purchased in the United Kingdom for the purpose of official entertainment to the extent that such relief is accorded to diplomatic missions. A certificate by the Executive Secretary that any purchase is for the purpose of official entertainment shall be accepted as conclusive.

Article 9

Goods imported or exported by the Organisation and strictly necessary for the exercise of its official activities shall be exempt from all customs duties and other customs charges except mere payments for services rendered and from all prohibitions and restrictions on import or export.

Article 10

The official activities of the Organisation shall, for the purposes of this Agreement, include its administrative activities and those undertaken pursuant to the International Grains Arrangement, 1967.¹

Article 11

No exemption in respect of taxes or customs duties shall be granted under Article 8 or Article 9 in respect of goods purchased and imported for the personal benefit of the staff members of the Organisation.

Article 12

Goods which have been acquired under Article 8 or imported under Article 9 shall not be sold or given away except in accordance with conditions laid down by the Government.

Article 13

The circulation of publications and other information material sent by or to the Organisation shall not be restricted in any way.

¹ United Nations, *Treaty Series*, Vol. 727 (I-10455).