



LAWS OF MALAYSIA

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Act 485

**INTERNATIONAL
ORGANIZATIONS
(PRIVILEGES AND IMMUNITIES)
ACT 1992**

As at 1 December 2011

**INTERNATIONAL ORGANIZATIONS
(PRIVILEGES AND IMMUNITIES) ACT 1992**

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LAWS OF MALAYSIA**Act 485****INTERNATIONAL ORGANIZATIONS
(PRIVILEGES AND IMMUNITIES) ACT 1992**

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LAWS OF MALAYSIA**Act 485****INTERNATIONAL ORGANIZATIONS
(PRIVILEGES AND IMMUNITIES) ACT 1992**

An Act relating to the privileges and immunities of certain international organizations and of persons connected therewith, and for other purposes.

[16 March 1992, P.U. (B) 108/1992]

BE IT ENACTED by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the International Organizations (Privileges and Immunities) Act 1992.

Application of the Convention on the Privileges and Immunities of the United Nations

1A. The Articles set out in the Seventh Schedule (being Articles of the Convention on the Privileges and Immunities of the United Nations) shall have the force of law in Malaysia.

Application of the Convention on the Privileges and Immunities of the Specialized Agencies

1B. (1) The Articles set out in the Eighth Schedule (being Articles of the Convention on the Privileges and Immunities of the Specialized Agencies) shall have the force of law in Malaysia.

(2) Paragraph 1(ii)(j) of Article I to the Convention shall be construed as referring to an agency in relationship with the United Nations in accordance with Articles 57 and 63 of the Charter and of which Malaysia is a member.

Interpretation

2. (1) In this Act, unless the context otherwise requires—

“association” means an association or other body or group of persons, whether incorporated or not;

“diplomatic agent” has the same meaning assigned to it by the Diplomatic Privileges (Vienna Convention) Act 1966 [*Act 636*];

“high officer” means a person who holds, or is performing the duties of, an office prescribed by regulations to be a high office in an international organization;

“international conference” means a conference that is attended by a person representing Malaysia and—

(a) a person representing a country other than Malaysia; or

(b) a person representing an international organization or an overseas organization,

whether or not it is also attended by another person or other persons;

“international organization” means an organization that is declared by regulations made under subsection 3(1) to be an international organization, and includes—

(a) an organ of, or office within, an organization that is so declared;

(b) a commission, council or other body established by such an organization or organ; and

(c) a committee, or sub-committee of a committee, of such an organization, organ, commission, council or body;

“Minister” means the Minister charged with the responsibility for foreign affairs;

“overseas organization” means an organization that is declared by regulations made under subsection 3(2) to be an overseas organization, and includes—

- (a) an organ of, or office within, an organization that is so declared;
- (b) a commission, council or other body established by such an organization or organ; and
- (c) a committee, or sub-committee of a committee, of such an organization, organ, commission, council or body;

“regulation” means regulation made under this Act;

“United Nations” means the organization set up by the Charter of the United Nations signed in San Francisco on 26 June 1945.

(2) For the purposes of this Act, a person who is, or has been during any period, a member of an organ of an international organization but is not, or has not been during that period, accredited to that organ as a representative of—

- (a) a country;
- (b) an international organization; or
- (c) an overseas organization,

shall be deemed to be, or to have been during that period, as the case may be, so accredited as a representative of the country of which he is a national.

(3) For the purposes of this Act—

- (a) an alternate or deputy of, or substitute for, a representative of a country of an international organization or of an overseas organization; and

(b) an adviser to, or expert assisting, such a representative,

shall each be deemed to be a member of the official staff of the representative.

(4) References in this Act to countries shall be read as including references to the government of countries.

International organizations and overseas organizations

3. (1) The Minister may by regulations declare an organization—

(a) of which Malaysia and a country or countries other than Malaysia are members;

(b) that is constituted by a person or persons representing Malaysia and a person or persons representing a country or countries other than Malaysia; or

(c) which has an office in Malaysia and which, in the opinion of the Minister, performs functions that would be beneficial to Malaysia,

to be an international organization.

(1A) The provisions of paragraph (1)(c) shall not apply to—

(a) any organization which is incorporated or established under any laws in Malaysia; and

(b) any organization incorporated or established for a commercial purpose.

(2) Subject to subsection (3), the Minister may by regulations declare—

(a) an organization the members of which are overseas countries in a particular geographical region;

(b) an organization that is constituted by persons representing overseas countries in a particular geographical region; or

- (c) an organization established, or a group of organizations constituted, by—
 - (i) organizations the members of which are overseas countries in a particular geographical region; or
 - (ii) organizations that are constituted by persons representing overseas countries in a particular geographical region, to be an overseas organization.

(3) Notwithstanding subsection (2), an organization shall not be declared to be an overseas organization if—

- (a) Malaysia is a member of the organization; or
- (b) the organization is constituted by a person or persons representing Malaysia and a person or persons representing a country or countries other than Malaysia.

Privileges and immunities of certain international organizations and persons

4. (1) Subject to this section, and to subsections 11(3), 11(4) and 11(5), the Minister may by regulations either with or without restrictions or to the extent or subject to the conditions prescribed in such regulations—

- (a) confer upon an international organization—
 - (i) juridical personality and such legal capacities as are necessary for the exercise of the powers and the performance of the functions of the organization; and
 - (ii) all or any of the privileges and immunities specified in the First Schedule;

(b) confer—

- (i) upon a person who is, or is performing the duties of, a high officer all or any of the privileges and immunities specified in Part I of the Second Schedule; and
- (ii) upon a person who has ceased to be, or perform the duties of, a high officer the immunities specified in Part II of the Second Schedule;

(c) confer—

- (i) upon a person who is accredited to, or is in attendance at an international conference convened by, an international organization as a representative of—

(A) a country other than Malaysia;

(B) another international organization; or

(C) an overseas organization,

all or any of the privileges and immunities specified in Part I of the Third Schedule;

- (ii) upon a person who has ceased to be accredited to such an organization, or has attended such a conference, as such a representative the immunities specified in Part II of the Third Schedule;

(d) confer—

- (i) upon a person (not being a high officer) who holds an office in an international organization all or any of the privileges and immunities specified in Part I of the Fourth Schedule; and

- (ii) upon a person who has ceased to hold such an office the immunities specified in Part II of the Fourth Schedule; and

(e) confer—

- (i) upon a person who is serving on a committee, or is participating in the work, of an international organization or is performing, whether alone or jointly with other persons, a mission on behalf of such an organization all or any of the privileges and immunities specified in Part I of the Fifth Schedule; and
- (ii) upon a person who has served on such a committee or participated in such work or has performed such a mission the immunities specified in Part II of the Fifth Schedule.

(2) The Minister may make regulations for the purpose of this section which may be of general application or may relate to—

- (a) particular international organizations;
- (b) particular officers or classes of officers;
- (c) particular conferences, committees or missions or classes of conferences, committees or missions; or
- (d) representatives of particular countries or of particular international organizations or of particular overseas organizations.

(3) Where by the regulations any privileges or immunities are conferred upon a person who is accredited to, or is in attendance at an international conference convened by, an international organization as a representative of—

- (a) a country other than Malaysia;
- (b) another international organization; or

(c) an overseas organization,

that person is entitled to the same privileges and immunities while travelling to a place for the purpose of presenting his credentials or of attending the conference or while returning from a place after ceasing to be so accredited or after attending the conference.

(4) Where by the regulations any privileges or immunities are conferred upon a person who is serving on a committee, or participating in the work, of an international organization or who is performing, whether alone or jointly with other persons, a mission on behalf of such an organization, that person is entitled to the same privileges and immunities while travelling to a place for the purpose of serving on the committee or participating in that work or performing the mission or while returning from a place after serving on the committee or participating in the work or performing the mission.

(5) Subject to subsection (6), where by the regulations or by subsection (3) any privileges or immunities are conferred upon a person who is, or has been, a person accredited to, or in attendance at an international conference convened by, an international organization as a representative of—

(a) a country other than Malaysia;

(b) another international organization; or

(c) an overseas organization,

a person who is, or has been during any period, a member of the official staff of the first-mentioned person is entitled, in respect of that period, to the same privileges and immunities.

(6) Except as the Minister may otherwise provide by regulations, a person who is or has been a representative of—

(a) a country other than Malaysia;

(b) an international organization; or

(c) an overseas organization,

or a member of the official staff of such a representative during the period when he is or was a Malaysian citizen is not entitled under this section or the regulations to any privileges or immunities, except in respect of acts and things done in his capacity as such a representative or member.

(7) A high officer or an officer of an international organization who is a Malaysian citizen is not entitled under this section to any of the privileges or immunities in the Second and Fourth Schedules respectively, except in respect of acts and things done in his capacity as such an officer.

Privileges and immunities of representatives attending certain international conferences or engaged on missions in Malaysia

5. (1) Where—

(a) an international conference is, or is to be, held in Malaysia; or

(b) a mission is, or is to be, sent by—

(i) a country other than Malaysia; or

(ii) an international organization or an overseas organization,

to Malaysia,

and it appears to the Minister that the provisions of this Act other than this section do not, or may not, apply in relation to that conference or mission but it is desirable that diplomatic privileges and immunities should be applicable in relation to that conference or mission, the regulations may declare the conference or mission, as the case may be, to be a conference or mission to which this section applies.

(2) Subject to subsections 11(3), 11(4) and 11(5) and to subsection (3) of this section, where a conference or mission has been declared

by the regulations to be a conference or mission to which this section applies—

(a) a person who is, or has been, a representative of—

(i) a country other than Malaysia; or

(ii) an international organization or an overseas organization,

at the conference or on the mission is, in respect of the period in which he is, or has been, such a representative, entitled to the privileges and immunities specified in Part I of the Third Schedule;

(b) a person who is, or has been, a member of the official staff of a person referred to in paragraph (a) during the whole or any part of the period referred to in that paragraph is entitled to the privileges and immunities specified in Part I of the Third Schedule in respect of that period or that part of that period, as the case may be; and

(c) in the case of an international conference, a person who is, or has been, a member of the secretariat established for the purposes of the conference is entitled to immunity from suit and from other legal process in respect of acts and things done in his capacity as such a member.

(3) Except as the Minister may otherwise provide by regulations, a person who is, or has been, in attendance at an international conference, or engaged on a mission, to which this section applies as a representative, or as a member of the official staff of a representative of—

(a) a country other than Malaysia; or

(b) an international organization,

during a period when he is or was a Malaysian citizen, is not entitled under subsection (2) to any privileges or immunities in respect of that period, except in respect of acts and things done in his capacity as such a representative or member.

Privileges and immunities of judges and officials of, and persons engaged in business before, the International Court of Justice

6. The Minister may by regulations confer upon—

- (a) the judges, assessors and officials of the International Court of Justice established by the Charter of the United Nations;
- (b) persons engaged on missions by order of that Court;
- (c) the agents, advocates and counsel of countries that are parties in cases before that Court; and
- (d) witnesses in cases before that Court,

such privileges and immunities as are required to give effect to the Statute of that Court and such privileges and immunities in respect of acts and things done in the course of the performance of their functions in connection with the business of that Court as are required to give effect to any resolution of, or convention or agreement approved by, the General Assembly of the United Nations.

Privileges and immunities of the United Nations

6A. (1) Notwithstanding any of the provisions of this Act and subject to subsections 3(1), 11(3) and 11(5), the Minister may by regulations, either with or without restrictions or to the extent or subject to the conditions prescribed in such regulations, confer upon—

- (a) the United Nations juridical personality and such legal capacities as may be necessary for the exercise of its powers and the performance of its functions; and
- (b) the United Nations and its representatives of members, officials and experts on missions all or any of the privileges and immunities specified in the Seventh Schedule.

Privileges and immunities of the Specialized Agencies

6B. (1) Notwithstanding any of the provisions of this Act and subject to subsections 3(1), 11(3) and 11(5), the Minister may by regulations, either with or without restrictions or to the extent or subject to the conditions prescribed in such regulations, confer upon—

- (a) the Specialized Agencies juridical personality and such legal capacities as may be necessary for the exercise of their powers and the performance of their functions; and
- (b) the Specialized Agencies and their representatives of members, officials and experts on mission all or any of the privileges and immunities specified in the Eighth Schedule.

Certificates by Minister

7. (1) The Minister may give a certificate in writing certifying any fact relating to the question whether a person is, or was at any time or in respect of any period, entitled, by virtue of this Act or the regulations, to any privileges or immunities.

(2) In any proceedings, a certificate given under this section is evidence of the facts certified.

Withdrawal of privileges and immunities of representatives of countries not according to reciprocal treatment

8. Where the Minister is satisfied that persons, or members of the official staffs of persons, representing Malaysia at an international conference in a country would not receive in that country privileges and immunities corresponding to those conferred in Malaysia by this Act or the regulations upon persons, or upon members of the official staffs of persons, representing that country, the Minister may, by order published in the *Gazette*, withdraw from the representatives, or from the members of the official staffs of the representatives, of that country all or any of those privileges and immunities.

Proper use of privileges and immunities

8A. (1) The privileges and immunities conferred under this Act are granted in the interests of the international organization and overseas organization and not for the personal benefit of the individuals.

(2) The appropriate authority of the respective international organization and overseas organization shall have the right and the duty to waive the privileges and immunities of any of its representatives, officials or experts in any case where, in its opinion, such privileges and immunities would impede the course of justice and could be waived without prejudice to the interests of the international organization and overseas organization.

(3) The international organization and overseas organization shall co-operate at all times with the appropriate authorities in Malaysia to—

- (a) facilitate the proper administration of justice;
- (b) secure the compliance of all domestic legislation; and
- (c) prevent the occurrence of any abuse in connection with the privileges and immunities conferred under this Act.

Protection of names, etc., of international organizations

9. (1) Except with the consent in writing of the Minister, a person (including a body corporate) shall not—

- (a) use the name or an abbreviation of the name of an international organization in connection with a trade, business, profession, calling or occupation; or
- (b) use—
 - (i) a seal, emblem or device that is identical with the official seal or emblem of an international organization;
 - (ii) a seal, emblem or device so nearly resembling the official seal or emblem of an international organization as to be capable of being mistaken for that seal or emblem; or

- (iii) a seal, emblem or device that is capable of being taken to be the official seal or emblem of an international organization.

(2) Where, without the consent in writing of the Minister, the name or an abbreviation of the name of an international organization or a seal, emblem or device referred to in paragraph (1)(b)—

- (a) is used as, or as part of, the name, seal or emblem of an association;
- (b) is used as, or as part of, the name or emblem of a newspaper or magazine owned by, or published by or on behalf of, an association; or
- (c) is used by an association in connection with any activity of the association so as to imply that the association is in any way connected with that organization,

then—

- (aa) if the association is a body corporate, the body corporate; or
- (bb) if the association is not a body corporate, every member of the governing body of the association, shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit.

(3) No person shall be convicted of an offence against this section in respect of the use of an abbreviation of the name of an international organization if the use occurred in such circumstances or in relation to such matters as to be unlikely to be taken to imply any connection with the organization, unless the prosecution proves that the use was intended to imply such a connection.

(4) The conviction of a person of an offence under this section in respect of the use of a name, an abbreviation of a name, a seal, emblem or device does not prevent a further conviction of that person in respect of the use of that name, abbreviation, seal, emblem or device at any time after the first-mentioned conviction.

(5) For the purposes of this section—

(a) any combination of words or letters, or of both words and letters, that is capable of being understood as referring to an international organization shall be deemed to be an abbreviation of the name of that organization; and

(b) if a seal or emblem is declared by the regulations to be the official seal or emblem of an international organization, that seal or emblem shall be taken to be the official seal or emblem of that organization.

(6) Proceedings under this section shall not be instituted without the consent in writing of the Attorney General.

Authority to hold land in the Federation

10. (1) Notwithstanding the provisions of any written law to the contrary, it shall be lawful for land in any part of the Federation or any interest in such land to be granted, alienated, leased or transferred to or owned or held by an international organization for the purposes of the organization or the residences or offices of any of the persons specified in any of the regulations made under paragraphs 4(1)(b) and 4(1)(d).

(2) Where by virtue of subsection (1) it is lawful for land or an interest in land to be granted, alienated, leased or transferred to or owned or held by an international organization, such land or interest may be granted, alienated, leased or transferred to or owned or held by such organization in its name or its behalf to or by any person nominated for the purposes of this subsection either generally or in a particular case by writing addressed to the Minister by or on behalf of such organization, as the case may be, and such organization or person, as the case may be, shall be registered accordingly as proprietor, lessee or otherwise, as the case may require, in any register kept under the provisions of the National Land Code [*Act 56 of 1965*].

(3) For the purpose of any dealing in any land or interest in any land vested in the name of any international organization, any person

authorized for the purposes of this subsection either generally or in any particular case by writing addressed to the Minister by or on behalf of such organization may, by virtue of such authorization, execute all or any instruments and do any act or thing for giving effect to any dealing with such land on behalf of such organization in the same manner and to the like extent as if such person had been authorized thereto by a valid power of attorney duly delivered under the provisions of the National Land Code.

Regulations

11. (1) The Minister may make regulations for carrying into effect the objects of this Act and for prescribing all matters required or permitted by this Act to be prescribed.

(2) In particular and without prejudice to the generality of subsection (1), the regulations may—

(a) make provisions for or in relation to the waiver of any privileges or immunities to which an international organization or person is entitled by virtue of this Act;

(b) make provisions for giving effect to the purposes of section 7.

(3) Notwithstanding the provisions of sections 4, 5, 6A and 6B, regulations conferring any privileges or immunities with respect to matters for which the Minister of Finance is for the time being responsible shall not be made without his concurrence.

(4) Regulations made under section 4 or 5 shall not confer on any person referred to in subparagraph 4(1)(c)(i) or in subsection 4(3) or in subsection 5(2) 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 person and committed by such a person.

(5) Regulations made under section 4, 5, 6A or 6B shall not confer on any person or organization any privileges or immunities greater in extent than those which at the time of the making of the regulations

are or are required to be conferred on that person or organization in order to give effect to any international agreement in that behalf.

Repeal and amendment

12. The provisions of the *Diplomatic and Consular Privileges Ordinance 1957 [*Ord No. 53 of 1957*] are amended—

(a) by repealing Part III thereof; and

(b) in the manner and to the extent set out in the Sixth Schedule.

*NOTE—The Diplomatic and Consular Privileges Ordinance 1957 [*Ord. No. 53 of 1957*] has since been repealed by the Diplomatic Privileges (Vienna Convention) (Amendment) Act 1999 [*Act A1064*]-see section 5 of Act A1064.

1. Immunity of the organization, and of the property and assets of, or in the custody of, or administered by, the organization, from suit and from other legal process.
2. Inviolability of property and assets of, or in the custody of, or administered by, the organization and of premises of, or occupied by, the organization.
3. Inviolability of documents and archives.
4. Subject to section 4 of the Exchange Control Act 1953 [*Act 17*], exemption from currency and exchange restrictions.
5. Subject to compliance with such conditions as the Minister of Finance may prescribe for the protection of revenue, exemption from all duties and taxes on—
 - (a) goods imported or exported by the organization for its official use;
 - (b) locally manufactured goods procured by the organization for its official use; and
 - (c) official publications of the organization imported or exported by it.
6. Exemption from income tax and supplementary income taxes on the income of the organization or real property gain taxes on the gains from the disposal of the properties of the organization, as the case may be, in so far as they are derived from or transacted within the scope of its official activities.
7. Exemption from stamp duties that ordinarily would be payable by the organization.
8. Exemption from prohibitions and restrictions on the importation or exportation of—
 - (a) goods imported or exported by the organization for its official use; and
 - (b) publications of the organization imported or exported by it.
9. Absence of censorship for official correspondence and other official communications.
10. The right to use codes and to send and receive correspondence and other papers and documents by couriers or in sealed bags and to have any such couriers or bags treated as diplomatic couriers or diplomatic bags, as the case may be.

SECOND SCHEDULE

[Section 4]

PART I

PRIVILEGES AND IMMUNITIES OF HIGH OFFICER

OF INTERNATIONAL ORGANIZATION

The like privileges and immunities (including privileges and immunities in respect of a spouse and children under the age of twenty-one years) as are accorded to a diplomatic agent.

PART II

IMMUNITIES OF FORMER HIGH OFFICER OF
INTERNATIONAL ORGANIZATION

Immunity from suit and from other legal process in respect of acts and things done in his capacity as such an officer.

THIRD SCHEDULE

[Section 4]

PART I

PRIVILEGES AND IMMUNITIES OF REPRESENTATIVES
ACCREDITED TO, OR ATTENDING CONFERENCE
CONVENED BY, INTERNATIONAL ORGANIZATION

1. Immunity from personal arrest or detention.
2. Immunity from suit and from other legal process in respect of acts and things done in his capacity as such a representative.
3. Inviolability of papers and documents.
4. The right to use codes and to send and receive correspondence and other papers and documents by couriers or in sealed bags.
5. Exemption (including exemption of the spouse of the representative) from the application of laws relating to immigration, the registration of aliens and the obligation to perform national service.
6. Exemption from currency or exchange restrictions to such extent as is accorded to a representative of a foreign government on a temporary mission on behalf of that government.
7. The like privileges and immunities, not being privileges and immunities of a kind referred to in any of the preceding paragraphs, as are accorded to a diplomatic agent, other than exemption from—
 - (a) excise duties;
 - (b) sales taxes; and

- (c) duties on the importation or exportation of goods not forming part of personal baggage.

PART II

IMMUNITIES OF FORMER REPRESENTATIVE
ACCREDITED TO, OR ATTENDING CONFERENCE
CONVENED BY, INTERNATIONAL ORGANIZATION

Immunity from suit and from other legal process in respect of acts and things done in his capacity as such a representative.

FOURTH SCHEDULE

[Section 4]

PART I

PRIVILEGES AND IMMUNITIES OF OFFICER (OTHER THAN HIGH
OFFICER) OF INTERNATIONAL ORGANIZATION

1. Immunity from suit and from other legal process in respect of acts and things done in his capacity as such an officer.
2. Exemption from income tax on official salaries and emoluments received from the organization.
3. Exemption (including exemption of spouse and children under the age of twenty one years) from the application of laws relating to immigration and the registration of aliens.
4. Exemption from the obligation to perform national service.
5. Exemption from currency or exchange restrictions to such extent as is accorded to an official of comparable rank forming part of a diplomatic mission.
6. Repatriation facilities (including repatriation facilities for spouse and any dependent relatives) in time of international crisis.
7. The right to import furniture and personal effects, including one motor vehicle, free of duties and taxes when first taking up a post in Malaysia and to export furniture and personal effects free of duties and taxes when leaving Malaysia on termination of his functions.

PART II

IMMUNITIES OF FORMER OFFICER (OTHER
THAN HIGH OFFICER) OF INTERNATIONAL ORGANIZATION

Immunity from suit and from other legal process in respect of acts and things done in his capacity as such an officer.

FIFTH SCHEDULE

[Section 4]

PART I

PRIVILEGES AND IMMUNITIES OF PERSONS SERVING
ON COMMITTEE OR PARTICIPATING IN WORK OF, OR
PERFORMING MISSION ON BEHALF OF,
INTERNATIONAL ORGANIZATION

1. Immunity from personal arrest or detention.
2. Immunity from suit and from other legal process in respect of acts and things done in serving on the committee, participating in the work or performing the mission.
3. Inviolability of papers and documents.
4. The right, for the purpose of communicating with the organization, to use codes and to send and receive correspondence and other papers and documents by couriers or in sealed bags.
5. Exemption from currency or exchange restrictions to such extent as is accorded to a representative of a foreign government on a temporary mission on behalf of that government.
6. The like privileges and immunities in respect of personal baggage as are accorded to a diplomatic agent.

PART II

IMMUNITIES OF PERSON WHO HAS SERVED ON
COMMITTEE OR PARTICIPATED IN WORK OF,
OR PERFORMED MISSION ON BEHALF OF,
INTERNATIONAL ORGANIZATION

Immunity from suit and from other legal process in respect of acts and things done in serving on the committee, participating in the work or performing the mission.

SIXTH SCHEDULE

[Section 12]

AMENDMENT OF THE DIPLOMATIC AND CONSULAR
PRIVILEGES ORDINANCE 1957

<i>Section</i>	<i>Amendment</i>
2	Delete the definition of the words “international organization”.
9	(1) In subsection (1), delete paragraph (b). (2) In subsection (2)— <ul style="list-style-type: none">(a) delete the words “or by an international organization”;(b) substitute for the words “such sovereign, government or organization” wherever they appear the words “such sovereign or government”;(c) substitute for the words “such sovereign, government, organization or person” the words “such sovereign, government or person”;(d) substitute for the words “Land Code of the Federated Malay States or of any law relating to land corresponding thereto in force in any other State” the words “National Land Code”; and(e) substitute for the marginal reference “F.M.S. Cap. 138.” the marginal reference “56/1965.”.
	(3) In subsection (5)— <ul style="list-style-type: none">(a) substitute for the words “any sovereign, government or international organization” the words “any sovereign or government”;(b) substitute for the words “such sovereign, government or organization” wherever they appear the words “such sovereign or government”;(c) substitute for the words “Land Code of the Federated Malay States or of any law relating to land corresponding thereto in

force in any State” the words “National Land Code or any law in force”; and

- (d) substitute for the marginal reference “F.M.S. Cap. 138.” the marginal reference “56/1965.”.

SEVENTH SCHEDULE

[Sections 1A and 6A]

ARTICLES OF THE CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE
UNITED NATIONS HAVING THE FORCE OF LAW IN MALAYSIA

Article I

JURIDICAL PERSONALITY

Section 1

The United Nations shall possess juridical personality. It shall have the capacity—

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

Article II

PROPERTY, FUNDS AND ASSETS

Section 2

The United Nations, its property and assets wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except insofar as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 3

The premises of the United Nations shall be inviolable. The property and assets of the United Nations, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

Section 4

The archives of the United Nations, and in general all documents belonging to it or held by it, shall be inviolable wherever located.

Section 5

Without being restricted by financial controls, regulations or moratoria of any kind—

- (a) the United Nations may hold funds, gold or currency of any kind and operate accounts in any currency;
- (b) the United Nations shall be free to transfer its funds, gold or currency from one country to another or within any country and to convert any currency held by it into any other currency.

Section 6

In exercising its rights under section 5 above, the United Nations shall pay due regard to any representations made by the Government of any Member insofar as it is considered that effect can be given to such representations without detriment to the interests of the United Nations.

Section 7

The United Nations, its assets, income and other property shall be—

- (a) exempt from all direct taxes; it is understood, however, that the United Nations will not claim exemption from taxes which are, in fact, no more than charges for public utility services;
- (b) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the United Nations for its official use. It is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed with the Government of that country;
- (c) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of its publications.

Section 8

While the United Nations will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the United Nations is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, Members will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

Article III

FACILITIES IN RESPECT OF COMMUNICATIONS

Section 9

The United Nations shall enjoy in the territory of each Member for its official communications, treatment not less favourable than that accorded by the Government of that Member to any other Government including its diplomatic mission in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications; and press rates for information to the press and radio. No censorship shall be applied to the official correspondence and other official communications of the United Nations.

Section 10

The United Nations shall have the right to use codes and to despatch and receive its correspondence by courier or in bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Article IV

THE REPRESENTATIVES OF MEMBERS

Section 11

Representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, shall, while exercising their functions and during their journey to and from the place of meeting, enjoy the following privileges and immunities:

- (a) immunity from personal arrest or detention and from seizure of their personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind;
- (b) inviolability for all papers and documents;
- (c) the right to use codes and to receive papers or correspondence by courier or in sealed bags;

- (d) exemption in respect of themselves and their spouses from immigration restrictions, alien registration or national service obligations in the state they are visiting or through which they are passing in the exercise of their functions;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys; and
- (g) such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic envoys enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise than as part of their personal baggage) or from excise duties or sales taxes.

Section 12

In order to secure for the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, complete freedom of speech and independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer the representatives of Members.

Section 13

Where the incidence of any form of taxation depends upon residence, periods during which the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations are present in a state for the discharge of their duties shall not be considered as periods of residence.

Section 14

Privileges and immunities are accorded to the representatives of Members not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the United Nations. Consequently, a Member not only has the right but is under a duty to waive the immunity of its representative in any case where in the opinion of the Member the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 15

The provisions of sections 11, 12 and 13 are not applicable between a representative and the authorities of the State of which he is a national or of which he is or has been the representative.

Section 16

In this Article, the expression “representatives” shall be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations.

Article V

OFFICIALS

Section 17

The Secretary-General will specify the categories of officials to which the provisions of this Article and Article VII shall apply. He shall submit these categories to the General Assembly. Thereafter these categories shall be communicated to the Governments of all Members. The names of the officials included in these categories shall from time to time be made known to the Governments of Members.

Section 18

Officials of the United Nations shall—

- (a) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) be exempt from taxation on the salaries and emoluments paid to them by the United Nations;
- (c) be immune from national service obligations;
- (d) be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
- (e) be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to the Government concerned;
- (f) be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crisis as diplomatic envoys;
- (g) have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

Section 19

In addition to the immunities and privileges specified in section 18, the Secretary-General and all Assistant Secretaries-General shall be accorded in respect of themselves, their spouses and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

Section 20

Privileges and immunities are granted to officials in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any official in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. In the case of the Secretary-General, the Security Council shall have the right to waive immunity.

Section 21

The United Nations shall cooperate at all times with the appropriate authorities of Members to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this Article.

Article VI**EXPERTS ON MISSIONS FOR THE UNITED NATIONS****Section 22**

Experts (other than officials coming within the scope of Article V) performing missions for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions, including the time spent on journeys in connection with their missions. In particular, they shall be accorded—

- (a) immunity from personal arrest or detention and from seizure of their personal baggage;
- (b) in respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind. This immunity from legal process shall continue to be accorded notwithstanding that the persons concerned are no longer employed on missions for the United Nations;
- (c) inviolability for all papers and documents;

- (d) for the purpose of their communications with the United Nations, the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys.

Section 23

Privileges and immunities are granted to experts in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any expert in any case where, in his opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the United Nations.

Article VII

UNITED NATIONS *LAISSEZ-PASSER*

Section 24

The United Nations may issue United Nations *laissez-passer* to its officials. These *laissez-passers* shall be recognized and accepted as valid travel documents by the authorities of Members, taking into account the provision of section 25.

Section 25

Applications for visas (where required) from the holders of United Nations *laissez-passer*, when accompanied by a certificate that they are travelling on the business of the United Nations, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

Section 26

Similar facilities to those specified in section 25 shall be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer*, have a certificate that they are travelling on the business of the United Nations.

Section 27

The Secretary-General, Assistant Secretaries-General and Directors travelling on United Nations *laissez-passer* on the business of the United Nations shall be granted the same facilities as are accorded to diplomatic envoys.

Section 28

The provisions of this Article may be applied to the comparable officials of specialized agencies if the agreements for relationship made under Article 63 of the Charter so provide.

Article VIII

SETTLEMENT OF DISPUTES

Section 29

The United Nations shall make provisions for appropriate modes of settlement of—

- (a) disputes arising out of contracts or other disputes of a private law character to which the United Nations is a party;
- (b) disputes involving any official of the United Nations who by reason of his official position enjoys immunity, if immunity has not been waived by the Secretary-General.

Section 30

All differences arising out of the interpretation or application of the present convention shall be referred to the International Court of Justice, unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between the United Nations on the one hand and a Member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the Statute of the Court. The opinion given by the Court shall be accepted as decisive by the parties.

Section 31

This Convention is submitted to every Member of the United Nations for accession.

Section 32

Accession shall be effected by deposit of an instrument with the Secretary-General of the United Nations and the Convention shall come into force as regards each Member on the date of deposit of each instrument of accession.

Section 33

The Secretary-General shall inform all Members of the United Nations of the deposit of each accession.

Section 34

It is understood that, when an instrument of accession is deposited on behalf of any Member, the Member will be in a position under its own law to give effect to the terms of this Convention.

Section 35

This Convention shall continue in force as between the United Nations and every Member which has deposited an instrument of accession for so long as that member remains a Member of the United Nations, or until a revised general convention has been approved by the General Assembly and that Member has become a party to this revised convention.

Section 36

The Secretary-General may conclude with any Member or Members supplementary agreements adjusting the provisions of this Convention so far as that Member or those Members are concerned. These supplementary agreements shall in each case be subject to the approval of the General Assembly.

EIGHTH SCHEDULE

[Sections 1B and 6B]

ARTICLES OF THE CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE
SPECIALIZED AGENCIES HAVING THE FORCE OF LAW IN MALAYSIA

Article I

DEFINITION AND SCOPE

Section 1

In this Convention—

- (i) The words “standard clauses” refer to the provisions of Articles II to IX.
- (ii) The words “specialized agencies” mean—

- (a) The International Labour Organization;
 - (b) The Food and Agriculture Organization of the United Nations;
 - (c) The United Nations Educational, Scientific and Cultural Organization;
 - (d) The International Civil Aviation Organization;
 - (e) The International Monetary Fund;
 - (f) The International Bank for Reconstruction and Development;
 - (g) The World Health Organization;
 - (h) The Universal Postal Union;
 - (i) The International Telecommunication Union; and
 - (j) Any other agency in relationship with the United Nations in accordance with Articles 57 and 63 of the Charter.
- (iii) The word “Convention” means, in relation to any particular specialized agency, the standard clauses as modified by the final (or revised) text of the annex transmitted by that agency in accordance with sections 36 and 38.
- (iv) For the purposes of Article III, the words “property and assets” shall also include property and funds administered by a specialized agency in furtherance of its constitutional functions.
- (v) For the purposes of Articles V and VII, the expression “representatives of members” shall be deemed to include all representatives, alternates, advisers, technical experts and secretaries of delegations.
- (vi) In sections 13, 14, 15 and 25, the expression “meetings convened by a specialized agency” means meetings—
- (a) of its assembly and of its executive body (however designated);
 - (b) of any commission provided for in its constitution;
 - (c) of any international conference convened by it; and
 - (d) of any committee of any of these bodies.
- (vii) The term “executive head” means the principal executive official of the specialized agency in question, whether designated “Director-General” or otherwise.

Section 2

Each State party to this Convention in respect of any specialized agency to which this Convention has become applicable in accordance with section 37 shall accord to, or in connection with, that agency the privileges and immunities set forth in the standard clauses on the conditions specified therein, subject to any modification of those clauses contained in the provisions of the final (or revised) annex relating to that agency and transmitted in accordance with section 36 or 38.

Article II

JURIDICAL PERSONALITY

Section 3

The specialized agencies shall possess juridical personality. They shall have the capacity—

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

Article III

PROPERTY, FUNDS AND ASSETS

Section 4

The specialized agencies, their property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case they have expressly waived their immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 5

The premises of the specialized agencies shall be inviolable. The property and assets of the specialized agencies, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

Section 6

The archives of the specialized agencies, and in general all documents belonging to them or held by them, shall be inviolable, wherever located.

Section 7

Without being restricted by financial controls, regulations or moratoria of any kind—

- (a) The specialized agencies may hold funds, gold or currency of any kind and operate accounts in any currency;
- (b) The specialized agencies may freely transfer their funds, gold or currency from one country to another or within any country and convert any currency held by them into any other currency.

Section 8

Each specialized agency shall, in exercising its rights under section 7 above, pay due regard to any representations made by the Government of any State party to this Convention in so far as it is considered that effect can be given to such representations without detriment to the interests of the agency.

Section 9

The specialized agencies, their assets, income and other property shall be—

- (a) exempt from all direct taxes: it is understood, however, that the specialized agencies will not claim exemption from taxes which are, in fact, no more than charges for public utility services;
- (b) exempt from custom duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the specialized agencies for their official use; it is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed to with the Government of that country;
- (c) exempt from duties and prohibitions and restrictions on imports and exports in respect of their publications.

Section 10

While the specialized agencies will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which forms part of the price to be paid, nevertheless when the specialized agencies are making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, States parties to this Convention will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

Article IV

FACILITIES IN RESPECT OF COMMUNICATIONS

Section 11

Each specialized agency shall enjoy, in the territory of each State party to this Convention in respect of that agency, for its official communications, treatment not less favourable than that accorded by the Government of such State to any other Government, including the latter's diplomatic mission, in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications, and press rates for information to the press and radio.

Section 12

No censorship shall be applied to the official correspondence and other official communications of the specialized agencies.

The specialized agencies shall have the right to use codes and to dispatch and receive correspondence by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Nothing in this section shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a State party to this Convention and a specialized agency.

Article V

REPRESENTATIVES OF MEMBERS

Section 13

Representatives of members at meetings convened by a specialized agency shall, while exercising their functions and during their journeys to and from the place of meeting, enjoy the following privileges and immunities:

- (a) immunity from personal arrest or detention and from seizure of their personal baggage, and in respect of words spoken or written and all acts done by them in their official capacity, immunity from legal process of every kind;
- (b) inviolability for all papers and documents;
- (c) the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (d) exemption in respect of themselves and their spouses from immigration restrictions, alien registration or national service obligations in the State which they are visiting or through which they are passing in the exercise of their functions;

- (e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;
- (f) the same immunities and facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions.

Section 14

In order to secure for the representatives of members of the specialized agencies at meetings convened by them complete freedom of speech and complete independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer engaged in the discharge of such duties.

Section 15

Where the incidence of any form of taxation depends upon residence, periods during which the representatives of members of the specialized agencies at meetings convened by them are present in a member State for the discharge of their duties shall not be considered as periods of residence.

Section 16

Privileges and immunities are accorded to the representatives of members, not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the specialized agencies. Consequently, a member not only has the right but is under a duty to waive the immunity of its representatives in any case where, in the opinion of the member, the immunity would impede the course of justice, and where it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 17

The provisions of sections 13, 14 and 15 are not applicable in relation to the authorities of a State of which the person is a national or of which he is or has been a representative.

Article VI

OFFICIALS

Section 18

Each specialized agency will specify the categories of officials to which the provisions of this article and of article VIII shall apply. It shall communicate them to the Governments of all States parties to this Convention in respect of that agency and to the Secretary-General of the United Nations. The names of the officials included in these categories shall from time to time be made known to the above-mentioned Governments.

Section 19

Officials of the specialized agencies shall—

- (a) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) enjoy the same exemptions from taxation in respect of the salaries and emoluments paid to them by the specialized agencies and on the same conditions as are enjoyed by officials of the United Nations;
- (c) be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
- (d) be accorded the same privileges in respect of exchange facilities as are accorded to officials of comparable rank of diplomatic missions;
- (e) be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crises as officials of comparable rank of diplomatic missions;
- (f) have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

Section 20

The officials of the specialized agencies shall be exempt from national service obligations, provided that in relation to the States of which they are nationals, such exemption shall be confined to officials of the specialized agencies whose names have, by reason of their duties, been placed upon a list compiled by the executive head of the specialized agency and approved by the State concerned.

Should other officials of specialized agencies be called up for national service, the State concerned shall, at the request of the specialized agency concerned, grant such temporary deferments in the call-up of such officials as may be necessary to avoid interruption in the continuation of essential work.

Section 21

In addition to the immunities and privileges specified in sections 19 and 20, the executive head of each specialized agency, including any official acting on his behalf during his absence from duty, shall be accorded in respect of himself, his

spouse and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

Section 22

Privileges and immunities are granted to officials in the interests of the specialized agencies only and not for personal benefit of the individuals themselves. Each specialized agency shall have the right and the duty to waive the immunity of any official in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the specialized agency.

Section 23

Each specialized agency shall co-operate at all times with the appropriate authorities of member States to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuses in connection with the privileges, immunities and facilities mentioned in this article.

Article VII

ABUSES OF PRIVILEGE

Section 24

If any State party to this Convention considers that there has been an abuse of a privilege or immunity conferred by this Convention, consultations shall be held between that State and the specialized agency concerned to determine whether any such abuse has occurred and, if so, to attempt to ensure that no repetition occurs. If such consultations fail to achieve a result satisfactory to the State and the specialized agency concerned, the question whether an abuse of a privilege or immunity has occurred shall be submitted to the International Court of Justice in accordance with section 32. If the International Court of Justice finds that such an abuse has occurred, the State party to this Convention affected by such abuse shall have the right, after notification to the specialized agency in question, to withhold from the specialized agency concerned the benefits of the privilege or immunity so abused.

Section 25

1. Representatives of members at meetings convened by specialized agencies, while exercising their functions and during their journeys to and from the place of meeting, and officials within the meaning of section 18, shall not be required by the

territorial authorities to leave the country in which they are performing their functions on account of any activities by them in their official capacity. In the case, however, of abuse of privileges of residence committed by any such person in activities in that country outside his official functions, he may be required to leave by the Government of that country provided that:

2. (I) Representatives of members, or persons who are entitled to diplomatic immunity under section 21, shall not be required to leave the country otherwise than in accordance with the diplomatic procedure applicable to diplomatic envoys accredited to that country.

(II) In the case of an official to whom section 21 is not applicable, no order to leave the country shall be issued other than with the approval of the Foreign Minister of the country in question, and such approval shall be given only after consultation with the executive head of the specialized agency concerned, and if expulsion proceedings are taken against an official, the executive head of the specialized agency shall have the right to appear in such proceedings on behalf of the person against whom they are instituted.

Article VIII

LAISSEZ-PASSER

Section 26

Officials of the specialized agencies shall be entitled to use the United Nations *laissez-passer* in conformity with administrative arrangements to be concluded between the Secretary-General of the United Nations and the competent authorities of the specialized agencies, to which agencies special powers to issue *laissez-passer* may be delegated. The Secretary-General of the United Nations shall notify each State party to this Convention of each administrative arrangement so concluded.

Section 27

States parties to this Convention shall recognize and accept the United Nations *laissez-passer* issued to officials of the specialized agencies as valid travel documents.

Section 28

Applications for visas, where required, from officials of specialized agencies holding United Nations *laissez-passer*, when accompanied by a certificate that they are travelling on the business of a specialized agency, shall be dealt with as

speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

Section 29

Similar facilities to those specified in section 28 shall be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer*, have a certificate that they are travelling on the business of a specialized agency.

Section 30

The executive heads, assistant executive heads, heads of departments and other officials of a rank not lower than head of department of the specialized agencies, travelling on United Nations *laissez-passer* on the business of the specialized agencies, shall be granted the same facilities for travel as are accorded to officials of comparable rank in diplomatic missions.

Article IX

SETTLEMENT OF DISPUTES

Section 31

Each specialized agency shall make provision for appropriate modes of settlement of—

- (a) disputes arising out of contracts or other disputes of private character to which the specialized agency is a party;
- (b) disputes involving any official of a specialized agency who by reason of his official position enjoys immunity, if immunity has not been waived in accordance with the provisions of section 22.

Section 32

All differences arising out of the interpretation or application of the present Convention shall be referred to the International Court of Justice unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between one of the specialized agencies on the one hand, and a member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the Statute of the Court and the relevant provisions of the agreements concluded between the United Nations and the specialized agency concerned. The opinion given by the Court shall be accepted as decisive by the parties.

Article X

ANNEXES AND APPLICATION TO INDIVIDUAL SPECIALIZED AGENCIES

Section 33

In their application to each specialized agency, the standard clauses shall operate subject to any modifications set forth in the final (or revised) text of the annex relating to that agency, as provided in sections 36 and 38.

Section 34

The provisions of the Convention in relation to any specialized agency must be interpreted in the light of the functions with which that agency is entrusted by its constitutional instrument.

Section 35

Draft annexes I to IX are recommended to the specialized agencies named therein. In the case of any specialized agency not mentioned by name in section 1, the Secretary-General of the United Nations shall transmit to the agency a draft annex recommended by the Economic and Social Council.

Section 36

The final text of each annex shall be that approved by the specialized agency in question in accordance with its constitutional procedure. A copy of the annex as approved by each specialized agency shall be transmitted by the agency in question to the Secretary-General of the United Nations and shall thereupon replace the draft referred to in section 35.

Section 37

The present Convention becomes applicable to each specialized agency when it has transmitted to the Secretary-General of the United Nations the final text of the relevant annex and has informed him that it accepts the standard clauses, as modified by this annex, and undertakes to give effect to sections 8, 18, 22, 23, 24, 31, 32, 42 and 45 (subject to any modification of section 32 which may be found necessary in order to make the final text of the annex consonant with the constitutional instrument of the agency) and any provisions of the annex placing obligations on the agency. The Secretary-General shall communicate to all Members of the United Nations and to other States members of the specialized agencies certified copies of all annexes transmitted to him under this section and of revised annexes transmitted under section 38.

Section 38

If, after the transmission of a final annex under section 36, any specialized agency approves any amendments thereto in accordance with its constitutional procedure, a revised annex shall be transmitted by it to the Secretary-General of the United Nations.

Section 39

The provisions of this Convention shall in no way limit or prejudice the privileges and immunities which have been, or may hereafter be, accorded by any State to any specialized agency by reason of the location in the territory of that State of its headquarters or regional offices. This Convention shall not be deemed to prevent the conclusion between any State party thereto and any specialized agency of supplemental agreements adjusting the provisions of this Convention or extending or curtailing the privileges and immunities thereby granted.

Section 40

It is understood that the standard clauses, as modified by the final text of an annex sent by a specialized agency to the Secretary-General of the United Nations under section 36 (or any revised annex sent under section 38), will be consistent with the provisions of the constitutional instrument then in force of the agency in question, and that if any amendment to that instrument is necessary for the purpose of making the constitutional instrument so consistent, such amendment will have been brought into force in accordance with the constitutional procedure of that agency before the final (or revised) annex is transmitted.

The Convention shall not itself operate as to abrogate, or derogate from, any provisions of the constitutional instrument of any specialized agency or any rights or obligations which the agency may otherwise have, acquire, or assume.

Article XI

FINAL PROVISIONS

Section 41

Accession to this Convention by a Member of the United Nations and (subject to section 42), by any State member of a specialized agency shall be effected by deposit with the Secretary-General of the United Nations of an instrument of accession which shall take effect on the date of its deposit.

Section 42

Each specialized agency concerned shall communicate the text of this Convention together with the relevant annexes to those of its members which are not Members of the United Nations and shall invite them to accede thereto in respect of that

agency by depositing an instrument of accession to this Convention in respect thereof either with the Secretary-General of the United Nations or with the executive head of the specialized agency.

Section 43

Each State party to this Convention shall indicate in its instrument of accession the specialized agency or agencies in respect of which it undertakes to apply the provisions of this Convention. Each State party to this Convention may by subsequent written notification to the Secretary-General of the United Nations undertake to apply the provisions of this Convention to one or more further specialized agencies. This notification shall take effect on the date of its receipt by the Secretary-General.

Section 44

This Convention shall enter into force for each State party to this Convention in respect of a specialized agency when it has become applicable to that agency in accordance with section 37 and the State party has undertaken to apply the provisions of the Convention to that agency in accordance with section 43.

Section 45

The Secretary-General of the United Nations shall inform all Members of the United Nations, as well as all members of the specialized agencies, and executive heads of the specialized agencies, of the deposit of each instrument of accession received under section 41 and of subsequent notifications received under section 43. The executive head of a specialized agency shall inform the Secretary-General of the United Nations and the members of the agency concerned of the deposit of any instrument of accession deposited with him under section 42.

Section 46

It is understood that, when an instrument of accession or a subsequent notification is deposited on behalf of any State, this State will be in a position under its own law to give effect to the terms of this Convention, as modified by the final texts of any annexes relating to the agencies covered by such accessions or notifications.

Section 47

1. Subject to the provisions of paragraphs 2 and 3 of this section, each State party to this Convention undertakes to apply this Convention in respect of each specialized agency covered by its accession or subsequent notification, until such

time as a revised convention or annex shall have become applicable to that agency and the said State shall have accepted the revised convention or annex. In the case of a revised annex, the acceptance of States shall be by a notification addressed to the Secretary-General of the United Nations, which shall take effect on the date of its receipt by the Secretary-General.

2. Each State party to this Convention, however, which is not, or has ceased to be, a member of a specialized agency, may address a written notification to the Secretary-General of the United Nations and the executive head of the agency concerned to the effect that it intends to withhold from that agency the benefits of this convention as from a specified date, which shall not be earlier than three months from the date of receipt of the notification.

3. Each State party to this Convention may withhold the benefit of this Convention from any specialized agency which ceases to be in relationship with the United Nations.

4. The Secretary-General of the United Nations shall inform all member States parties to this Convention of any notification transmitted to him under the provisions of this section.

Section 48

At the request of one-third of the States parties to this Convention, the Secretary-General of the United Nations will convene a conference with a view to its revision.

Section 49

The Secretary-General of the United Nations shall transmit copies of this Convention to each specialized agency and to the Government of each Member of the United Nations.

ANNEXES

ANNEX I

INTERNATIONAL LABOUR ORGANISATION

In their application to the International Labour Organisation the standard clauses shall operate subject to the following provisions:

1. Article V (other than paragraph (c) of section 13) and section 25, paragraphs 1 and 2 (I), of article VII shall extend to the employers' and workers' members and deputy members of the Governing Body of the International Labour Organisation and their substitutes, except that any waiver of the immunity of any such person member under section 16 shall be by the Governing Body.

2. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to any Deputy Director-General of the International Labour Office and any Assistant Director-General of the International Labour Office.

3. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organisation shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connection with service on such committees or missions:

- (a) Immunity from personal arrest or seizure of their personal baggage;
- (b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organisation;
- (c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Government on temporary official missions;
- (d) Inviolability of their papers and documents relating to the work on which they are engaged for the Organisation.

(ii) In connection with (d) of 3 (i) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(iii) Privileges and immunities are granted to the experts of the Organisation in the interests of the Organisation and not for the personal benefit of the individuals themselves. The Organisation shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organisation.

ANNEX II

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

In their application to the Food and Agriculture Organization of the United Nations (hereinafter called "the Organization"), the standard clauses shall operate subject to the following provisions:

1. Article V and section 25, paragraphs 1 and 2 (I) of article VII shall extend to the Chairman of the Council of the Organization, except that any waiver of the immunity of the Chairman under section 16 shall be by the Council of the Organization.

2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connection with service on such committees or missions;

- (a) Immunity from personal arrest or seizure of their personal baggage;
- (b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;
- (c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;
- (d) Inviolability of their papers and documents relating to the work on which they are engaged for the Organization.

(ii) In connection with (d) of 2 (i) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(iii) Privileges and immunities are granted to the experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

3. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to any Deputy Director- General of the Organization.

ANNEX II

(Revised text)

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

In their application to the Food and Agriculture Organization of the United Nations (hereinafter called “the Organization”), the standard clauses shall operate subject to the following provisions:

1. Article V and section 25, paragraphs 1 and 2 (I) of article VII shall extend to the Chairman of the Council of the Organization and to the representatives of Associate Members, except that any waiver of the immunity of the Chairman under section 16 shall be by the Council of the Organization.
2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective

exercise of their functions, including the time spent on journeys in connection with service on such committees or missions:

- (a) immunity from personal arrest or seizure of their personal baggage;
- (b) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;
- (c) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign governments on temporary official missions;
- (d) inviolability of their papers and documents relating to the work on which they are engaged for the Organization and, for the purpose of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

(ii) In connection with (d) of 2 (i) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(iii) Privileges and immunities are granted to the experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

3. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to the Deputy Director-General of the Organization.

ANNEX II

(Second revised text)

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

In their application to the Food and Agriculture Organization of the United Nations (hereinafter called "the Organization"), the standard clauses shall operate subject to the following provisions:

1. Article V and section 25, paragraphs 1 and 2 (I) of article VII shall extend to the Chairman of the Council of the Organization and to the representatives of Associate Members, except that any waiver of the immunity of the Chairman under section 16 shall be by the Council of the Organization.
2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective

exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:

- (a) immunity from personal arrest or seizure of their personal baggage;
- (b) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;
- (c) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign governments on temporary official missions;
- (d) inviolability of their papers and documents relating to the work on which they are engaged for the Organization and, for the purpose of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

(ii) In connexion with (d) of 2 (i) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(iii) Privileges and immunities are granted to the experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any experts in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

3. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall be accorded to the Deputy Director-General and the Assistant Directors-General of the Organization.

ANNEX III

INTERNATIONAL CIVIL AVIATION ORGANIZATION

The standard clauses shall operate in respect to the International Civil Aviation Organization (hereinafter called "the Organization"), subject to the following provisions:

1. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to the President of the Council of the Organization.

2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:

- (a) Immunity from personal arrest or seizure of their personal baggage;
- (b) Immunity from legal process of every kind in respect of words spoken or written or acts done by them in the performance of their official functions, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;
- (c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;
- (d) Inviolability of their papers and documents relating to the work on which they are engaged for the Organization.

(ii) In connexion with (d) of 2 (i) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(iii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

ANNEX IV

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

The standard clauses shall operate in respect to the United Nations Educational, Scientific and Cultural Organization (hereinafter called "the Organization"), subject to the following provisions:

1. Article V and section 25, paragraphs 1 and 2 (I) of article VII shall extend to the President of the Conference and members of the Executive Board of the Organization, their substitutes and advisers, except that any waiver of the immunity of any such person of the Executive Board under section 16 shall be by the Executive Board.

2. The Deputy Director-General of the Organization, his spouse and minor children shall also enjoy the privileges and immunities, exemptions and facilities accorded to diplomatic envoys in accordance with international law, which article VI, section 21, of the Convention ensures to the executive head of each specialized agency.

3. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:

- (a) Immunity from personal arrest or seizure of their personal baggage;
- (b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;
- (c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;

(ii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

ANNEX V

INTERNATIONAL MONETARY FUND

In its application to the International Monetary Fund (hereinafter called “the Fund”), the Convention (including this annex) shall operate subject to the following provisions:

1. Section 32 of the standard clauses shall only apply to differences arising out of the interpretation or application of privileges and immunities which are derived by the Fund solely from this Convention and are not included in those which it can claim under its Articles of Agreement or otherwise.
2. The provisions of the Convention (including this annex) do not modify or amend or require the modification or amendment of the Articles of Agreement of the Fund or impair or limit any of the rights, immunities, privileges or exemptions conferred upon the Fund or any of its members, Governors, Executive Directors, alternates, officers or employees by the Articles of Agreement of the Fund, or by any statute, law or regulation of any member of the Fund or any political subdivision of any such member, or otherwise.

ANNEX VI

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

In its application to the International Bank For Reconstruction and Development (hereinafter called “the Bank”), the Convention (including this annex) shall operate subject to the following provisions:

1. The following shall be substituted for section 4:

“Actions may be brought against the Bank only in a court of competent jurisdiction in the territories of a member of the Bank in which the Bank has an office, has appointed an agent for the purpose of accepting service or notice of process, or has issued or guaranteed securities. No actions shall, however, be brought by members or persons acting for or deriving claims from members. The property and assets of the Bank shall, wheresoever located and by whomsoever held, be immune from all forms of seizure, attachment of execution before the delivery of final judgment against the Bank.”

2. Section 32 of the standard clauses shall only apply to differences arising out of the interpretation or application of privileges and immunities which are derived by the Bank solely from this Convention and are not included in those which it can claim under its Articles of Agreement or otherwise.

3. The provisions of the Convention (including this annex) do not modify or amend or require the modification or amendment of the Articles of Agreement of the Bank or impair or limit any of the rights, immunities, privileges or exemptions conferred upon the Bank or any of its members, Governors, Executive Directors, alternates, officers or employees by the Articles of Agreement of the Bank, or by any statute, law or regulation of any member of the Bank or any political subdivision of any such member, or otherwise.

ANNEX VII

WORLD HEALTH ORGANIZATION

In their application to the World Health Organization (hereinafter called “the Organization”), the standard clauses shall operate subject to the following modifications:

1. Article V and section 25, paragraphs 1 and 2 (I) of article VII shall extend to persons designated to serve on the Executive Board of the Organization, their alternates and advisers, except that any waiver of the immunity of any such persons under section 16 shall be by the Board.

2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:

(a) Immunity from personal arrest or seizure of their personal baggage;

(b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;

- (c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;
- (d) Inviolability for all papers and documents;
- (e) The right to use codes and to receive documents and correspondence by courier or in sealed dispatch bags for their communications with the World Health Organization.

(ii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

ANNEX VII

(Revised text)

WORLD HEALTH ORGANIZATION

In their application to the World Health Organization (hereinafter called “the Organization”), the standard clauses shall operate subject to the following modifications:

1. Article V and section 25, paragraphs 1 and 2 (I) of article VII shall extend to persons designated to serve on the Executive Board of the Organization, their alternates and advisers, except that any waiver of the immunity of such persons under section 16 shall be by the Executive Board.
2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:
 - (a) Immunity from personal arrest or seizure of their personal baggage;
 - (b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;
 - (c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;

- (d) Inviolability for all papers and documents;
- (e) For the purposes of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

(ii) The privileges and immunities set forth in paragraphs (b) and (e) above shall be accorded to persons serving on Expert Advisory Panels of the Organization in the exercise of their functions as such.

(iii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

3. Article V and section 25, paragraphs 1 and 2 (I) of article VII shall extend to the representatives of associate members participating in the work of the Organization in accordance with articles 8 and 47 of the Constitution.

ANNEX VII

(Second revised text)

WORLD HEALTH ORGANIZATION

In their application to the World Health Organization (hereinafter called “the Organization”), the standard clauses shall operate subject to the following modifications:

1. Article V and section 25, paragraphs 1 and 2 (I) of article VII shall extend to persons designated to serve on the Executive Board of the Organization, their alternates and advisers, except that any waiver of the immunity of such persons under section 16 shall be by the Executive Board.
2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:
 - (a) Immunity from personal arrest or seizure of their personal baggage;
 - (b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;

- (c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;
- (d) Inviolability for all papers and documents;
- (e) For the purposes of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

(ii) The privileges and immunities set forth in paragraphs (b) and (e) above shall be accorded to persons serving on Expert Advisory Panels of the Organization in the exercise of their functions as such.

(iii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

3. Article V and section 25, paragraphs 1 and 2 (I) of article VII shall extend to the representatives of associate members participating in the work of the Organization in accordance with articles 8 and 47 of the Constitution.

4. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to any Deputy Director-General of the Organization.

ANNEX VII

(Third revised text)

WORLD HEALTH ORGANIZATION

In their application to the World Health Organization (hereinafter called “the Organization”), the standard clauses shall operate subject to the following modifications:

1. Article V and section 25, paragraphs 1 and 2 (I) of article VII shall extend to persons designated to serve on the Executive Board of the Organization, their alternates and advisers, except that any waiver of the immunity of such persons under section 16 shall be by the Board.

2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:

- (a) Immunity from personal arrest or seizure of their personal baggage;

- (b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;
- (c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;
- (d) Inviolability for all papers and documents;
- (e) For the purposes of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

(ii) The privileges and immunities set forth in paragraphs (b) and (e) above shall be accorded to persons serving on Expert Advisory Panels of the Organization in the exercise of their functions as such.

(iii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

3. Article V and section 25, paragraphs 1 and 2 (I) of article VII shall extend to the representatives of Associate Members participating in the work of the Organization in accordance with articles 8 and 47 of the Constitution.

4. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to any Deputy Director-General, Assistant Director-General and Regional Director of the Organization.

ANNEX VIII

UNIVERSAL POSTAL UNION

[*Translation*]

The standard clauses shall apply without modification.

ANNEX IX

INTERNATIONAL TELECOMMUNICATION UNION

The standard clauses shall apply without modification except that the International Telecommunication Union shall not claim for itself the enjoyment of privileged treatment with regard to the "Facilities in respect of communications" provided in article IV, section 11.

ANNEX X

INTERNATIONAL REFUGEE ORGANIZATION

The standard clauses shall apply without modification.

ANNEX XI

WORLD METEOROLOGICAL ORGANIZATION

The standard clauses shall apply without modification.

ANNEX XII

INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

1. The privileges and immunities, exemptions and facilities referred to in article VI, section 21 of the standard clauses, shall be accorded to the Secretary-General of the Organization and to the Secretary of the Maritime Safety Committee, provided that the provisions of this paragraph shall not require the Member in whose territory the Organization has its Headquarters to apply article VI, section 21 of the standard clauses to any person who is its national.

2. (a) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including time spent on journeys in connexion with service on such committees or missions:

- (i) immunity from personal arrest or seizure of their personal baggage;
- (ii) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;
- (iii) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign governments on temporary official missions;
- (iv) inviolability for all papers and documents relating to the work on which they are engaged for the Organization;
- (v) the right to use codes and to receive documents and correspondence by courier or in sealed dispatch bags for their communications with the Inter-Governmental Maritime Consultative Organization.

In connexion with section 2 (a) (iv) and (v) above the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(b) Privileges and immunities are granted to such experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The

Organization shall have the right and duty to waive the immunity of any expert in any case where, in its opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the Organization.

ANNEX XII

(Revised text)

INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

1. The privileges and immunities, exemptions and facilities referred to in article VI, section 21 of the standard clauses, shall be accorded to the Secretary-General of the Organization, to the Deputy Secretary-General and to the Secretary of the Maritime Safety Committee, provided that the provisions of this paragraph shall not require the Member in whose territory the Organization has its Headquarters to apply article VI, section 21 of the standard clauses to any person who is its national.

2. (a) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including time spent on journeys in connexion with service on such committees or missions:

- (i) immunity from personal arrest or seizure of their personal baggage;
- (ii) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;
- (iii) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign governments on temporary official missions;
- (iv) inviolability for all papers and documents relating to the work on which they are engaged for the Organization;
- (v) the right to use codes and to receive documents and correspondence by courier or in sealed dispatch bags for their communications with the Inter-Governmental Maritime Consultative Organization.

In connexion with section 2 (a) (iv) and (v) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(b) Privileges and immunities are granted to such experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and duty to waive the immunity of any expert in any case where, in its opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the Organization.

ANNEX XII

(Second revised text)

INTERNATIONAL MARITIME ORGANIZATION

The privileges and immunities, exemptions and facilities referred to in article VI, section 21 of the standard clauses, shall be accorded to the Secretary-General of the Organization, to the Deputy Secretary-General, to the Secretary of the Maritime Safety Committee and to the Directors of the Administrative Division, the Technical Co-operation Division, the Legal Affairs and External Relations Division, the Conference Division and the Marine Environment Division, provided that the provisions of this paragraph shall not require the Member in whose territory the Organization has its Headquarters to apply article VI, section 21 of the standard clauses to any person who is its national. If the Organization changes the titles of any of the Director posts at any time, the holders for the time being of such posts shall continue to be accorded the privileges and immunities, exemptions and facilities referred to in this paragraph.

(a) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including time spent on journeys in connection with service on such committees or missions:

- (i) immunity from personal arrest or seizure of their personal baggage;
- (ii) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;
- (iii) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign governments on temporary official missions;
- (iv) inviolability for all papers and documents relating to the work on which they are engaged for the Organization; and
- (v) the right to use codes and to receive documents and correspondence by courier or in sealed dispatch bags for their communications with the International Maritime Organization.

In connection with section 2 (a) (iv) and (v) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(b) Privileges and immunities are granted to such experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and duty to waive the immunity of any expert in any case where, in its opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the Organization.

ANNEX XIII

INTERNATIONAL FINANCE CORPORATION

In its application to the International Finance Corporation (hereinafter called “The Corporation”), the Convention (including this annex) shall operate subject to the following provisions:

1. The following shall be substituted for Section 4:

“Actions may be brought against the Corporation only in a court of competent jurisdiction in the territories of a member in which the Corporation has an office, has appointed an agent for the purpose of accepting service or notice of process, or has issued or guaranteed securities. No actions shall, however, be brought by members or persons acting for or deriving claims from members. The property and assets of the Corporation shall, wheresoever located and by whomsoever held, be immune from all forms of seizure, attachment or execution before the delivery of final judgment against the Corporation.”

2. Paragraph *(b)* of section 7 of the standard clauses shall apply to the Corporation subject to article III, section 5 of the Articles of Agreement of the Corporation.
3. The Corporation in its discretion may waive any of the privileges and immunities conferred under article VI of its Articles of Agreement to such extent and upon such conditions as it may determine.
4. Section 32 of the standard clauses shall only apply to differences arising out of the interpretation or application of privileges and immunities which are derived by the Corporation from this Convention and are not included in those which it can claim under its Articles of Agreement or otherwise.
5. The provisions of the Convention (including this annex) do not modify or amend or require the modification or amendment of the Articles of Agreement of the Corporation or impair or limit any of the rights, immunities, privileges or exemptions conferred upon the Corporation or any of its members, governors, executive directors, alternates, officers and employees by the Articles of Agreement of the Corporation, or by any statute, law or regulation of any member of the Corporation or any political subdivision of any such member, or otherwise.

ANNEX XIV

INTERNATIONAL DEVELOPMENT ASSOCIATION

In its application to the International Development Association (hereinafter called “the Association”), the Convention, including this annex, shall operate subject to the following provisions:

1. The following shall be substituted for section 4:

“Actions may be brought against the Association only in a court of competent jurisdiction in the territories of a member in which the Association has an office, has appointed an agent for the purpose of accepting service or notice of process, or has issued or guaranteed securities. No actions shall, however, be brought by members or persons acting for or deriving claims from members. The property and assets of the Association shall, wheresoever located and by whomsoever held, be immune from all forms of seizure, attachment or execution before the delivery of final judgment against the Association.”

2. Section 32 of the standard clauses shall only apply to differences arising out of the interpretation or application of privileges and immunities which are derived by the Association from this Convention and are not included in those which it can claim under its Articles of Agreement or otherwise.

3. The provisions of the Convention (including this annex) do not modify or amend or require the modification or amendment of the Articles of Agreement of the Association or impair or limit any of the rights, immunities, privileges or exemptions conferred upon the Association or any of its members, governors, executive directors, alternates, officers or employees by the Articles of Agreement of the Association, or by any statute, law or regulation of any member of the Association or any political subdivision of any such member, or otherwise.

ANNEX XV

WORLD INTELLECTUAL PROPERTY ORGANIZATION

“In their application to the World Intellectual Property Organization (hereinafter called ‘the Organization’), the standard clauses shall operate subject to the following modifications:

- “1. The privileges, immunities, exemptions and facilities referred to in article VI, section 21, of the standard clauses shall also be accorded to the Deputy Directors General of the Organization.

- “2. (a) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:

- “(i) Immunity from personal arrest or seizure of their personal baggage;
- “(ii) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the

persons concerned are no longer serving on committees of, or employed on missions for, the Organization;

“(iii) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;

“(iv) Inviolability for all papers and documents relating to the work on which they are engaged for the Organization;

“(v) For their communications with the Organization, the right to use codes and to receive documents and correspondence by courier or in sealed dispatch bags.

In connexion with (iv) and (v) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

“(b) Privileges and immunities are granted to the experts referred to in paragraph (a) above in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and duty to waive the immunity of any expert in any case where, in its opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the Organization.”

ANNEX XVI

INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

In their application to the International Fund for Agricultural Development (hereinafter called “the Fund”), the standard clauses shall operate subject to the following provisions:

1. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to any Vice-President of the Fund.

2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for the Fund shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connection with service on such committees or missions:

(a) immunity from personal arrest or seizure of their personal baggage;

(b) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Fund;

- (c) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign governments on temporary official missions;
- (d) inviolability of their papers and documents relating to the work on which they are engaged for the Fund and, for the purpose of their communications with the Fund, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

(ii) In connection with (d) of 2 (i) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(iii) Privileges and immunities are granted to the experts in the interests of the Fund and not for the personal benefit of the individuals themselves. The Fund shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Fund.

ANNEX XVII

UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

In their application to the United Nations Industrial Development Organization (hereinafter called "the Organization"), the standard clauses shall operate subject to the following modifications:

1. (a) Experts (other than officials coming within the scope of article VI) serving as committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connection with service on such committees or missions:
 - (i) Immunity from personal arrest or seizure of their personal baggage;
 - (ii) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the person concerned is no longer serving on committees of, or employed on missions for, the Organization;
 - (iii) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;
 - (iv) Inviolability for all papers and documents;
 - (v) For their communications with the Organization, the right to use codes and to receive documents and correspondence by courier or in sealed bags;

(b) In connection with subparagraphs (iv) and (v) of paragraph 1(a) above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable;

(c) Privileges and immunities are granted to experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

2. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to any Deputy Director-General of the Organization.

ANNEX XVIII

WORLD TOURISM ORGANIZATION

In their application to the World Tourism Organization (hereinafter referred to as “the Organization”), the standard clauses shall operate subject to the following modifications:

1. Article V and section 25, paragraphs 1 and 2(I), of article VII of the Convention shall extend to the representatives of Associate Members participating in the work of the Organization in accordance with the Statutes of the World Tourism Organization (hereinafter referred to as “the Statutes”).

2. Representatives of Affiliate Members, participating in the activities of the Organization in accordance with the Statutes, shall be granted:

(a) All facilities in order to safeguard the independent exercise of their official functions;

(b) Maximum expeditiousness in the processing of their applications for visas, where required and when accompanied by a certificate that they are travelling on the business of the Organization. In addition, such persons shall be granted facilities for speedy travel;

(c) In connection with subparagraph (b) above, the principle contained in the last sentence of section 12 of the standard clauses shall apply.

3. Experts, other than officials coming within the scope of article VI of the Convention, serving on organs and bodies of, or performing missions for, the Organization, shall be accorded such privileges and immunities as are necessary for the independent and effective exercise of their functions, including the time spent on journeys in connection with service on organs and bodies or missions. In particular they shall be accorded:

(a) Immunity from personal arrest or seizure of their personal baggage;

- (b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity notwithstanding that the persons concerned are no longer serving on organs and bodies of, or employed on mission for the Organization;
- (c) Inviolability for all papers and documents relating to the work on which they are engaged for the Organization;
- (d) For the purpose of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (e) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions.

4. Privileges and immunities are granted to the experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Secretary-General of the Organization shall have the right and the duty to waive the immunity of any expert in any case where, in his/her opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the Organization.

5. Notwithstanding paragraph 2 above, paragraphs 3 and 4 above shall apply to representatives of Affiliate Members performing missions for the Organization as experts.

6. The privileges and immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to the Deputy Secretary-General of the Organization, his/her spouse and minor children.

LAWS OF MALAYSIA**Act 485****INTERNATIONAL ORGANIZATIONS
(PRIVILEGES AND IMMUNITIES) ACT 1992**

LIST OF AMENDMENTS

Amending law	Short title	In force from
Act A1405	International Organizations (Privileges and Immunities) (Amendment) Act 2011	16-09-2011

LAWS OF MALAYSIA**Act 485****INTERNATIONAL ORGANIZATIONS
(PRIVILEGES AND IMMUNITIES) ACT 1992**

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
1A	Act A1405	16-09-2011
1B	Act A1405	16-09-2011
2	Act A1405	16-09-2011
3	Act A1405	16-09-2011
4	Act A1405	16-09-2011
6A	Act A1405	16-09-2011
6B	Act A1405	16-09-2011
8A	Act A1405	16-09-2011
11	Act A1405	16-09-2011
First Schedule	Act A1405	16-09-2011
Second Schedule	Act A1405	16-09-2011
Third Schedule	Act A1405	16-09-2011
Fifth Schedule	Act A1405	16-09-2011
Seventh Schedule	Act A1405	16-09-2011
Eighth Schedule	Act A1405	16-09-2011
