

The International Coffee Organization (Privileges and Immunities) (Bailiwick of Guernsey) Ordinance, 2023

THE STATES POLICY & RESOURCES COMMITTEE, in pursuance of the Resolutions of the States of the 10th September, 2021^a, 16th December, 2021^b, 30th September, 2022^c, and in exercise of the powers conferred on the States by sections 1 and 3 of the Privileges and Immunities (Bailiwick of Guernsey) Law, 2004^d, and in exercise of the powers conferred on the Committee by Article 66A(1) of the Reform (Guernsey) Law, 1948^e, hereby orders:-

Membership of the ICO.

1. The United Kingdom's membership of the ICO having been extended to the Bailiwick, the ICO is specified for the purpose of section 1(a) of the Privileges and Immunities (Bailiwick of Guernsey) Law, 2004, and the provision specified in section 2 of this Ordinance is to have force of law in the Bailiwick for the purpose of conferring (subject to provision in regulations made under section 3 of this Ordinance) such privileges and immunities as may be required to be enjoyed by –

(a) the ICO,

^a Article XVII of Billet d' État No. XVII of 2021.

^b Article XI of Billet d' État No. XXV of 2021.

^c Article VI of Billet d' État No. XVII of 2022.

^d Order in Council No. XII of 2005; this enactment has been amended.

^e Ordres en Conseil Vol XIII, p. 288; this enactment has been amended.

- (b) the Executive Director of the ICO, its staff, and experts,
and
- (c) any representatives of Members of the ICO.

Specified provision which has force of law in the Bailiwick.

2. The provision referred to in section 1 is Article 8 of the International Coffee Agreement, 2022 ("**the 2022 Agreement**") done at London on 9th June, 2022 (reproduced in the Schedule to this Ordinance).

Policy & Resources Committee power to make regulations.

3. The States of Guernsey Policy & Resources Committee may make regulations for the purpose of further particularising the privileges and immunities conferred under section 1 on the persons listed in that section.

Interpretation.

4. In this Ordinance, "ICO" means the International Coffee Organization, as established under the International Coffee Agreement, 1962 done at New York on 28th September, 1962.

Extent.

5. This Ordinance has effect throughout the Bailiwick.

Citation and commencement.

6. This Ordinance may be cited as the International Coffee Organization (Privileges and Immunities) (Bailiwick of Guernsey) Ordinance, 2023, and comes into force on the day on which the 2022 Agreement comes into force in respect of the Bailiwick.

SCHEDULE

Section 2

ARTICLE 8 OF THE INTERNATIONAL COFFEE AGREEMENT, 2022

"ARTICLE 8

Privileges and immunities

- (1) The Organization shall have legal personality. It shall in particular have the capacity to contract, acquire and dispose of movable and immovable property and to institute legal proceedings.
- (2) The status, privileges and immunities of the Organization, of its Executive Director, its staff and experts, and of representatives of Members while in the territory of the host country for the purpose of exercising their functions, shall be governed by a Headquarters Agreement concluded between the host Government and the Organization.
- (3) The Headquarters Agreement referred to in paragraph (2) of this Article shall be independent of this Agreement. It shall however terminate:
 - (a) By agreement between the host Government and the Organization;
 - (b) In the event of the headquarters of the Organization being moved from the territory of the host Government; or
 - (c) In the event of the Organization ceasing to exist.
- (4) The Organization may conclude with one or more other Members agreements to be approved by the Council relating to such privileges and immunities as may be necessary for the proper functioning of this Agreement.

(5) The Governments of Member countries other than the host Government shall grant the Organization the same facilities in respect of currency or exchange restrictions, maintenance of bank accounts and transfer of monies, as are accorded to the specialized agencies of the United Nations."