

ARTICLE 5

Membership by intergovernmental organizations

Any reference in this Agreement to a "Government" or "Governments" shall be construed as including the European Economic Community and any other intergovernmental organization having responsibilities in respect of the negotiation, conclusion and application of international agreements, in particular commodity agreements. Accordingly, any reference in this Agreement to signature, ratification, acceptance or approval, or to notification of provisional application or to accession shall, in the case of such intergovernmental organizations, be construed as including a reference to signature, ratification, acceptance or approval, or to notification of provisional application, or to accession, by such intergovernmental organizations.

ARTICLE 6

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 in the territory of the United Kingdom shall continue to be governed by the Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the International Sugar Organization signed at London on 29 May 1969, with such amendments as may be necessary for the proper functioning of this Agreement.

3. If the seat of the Organization is moved to a country which is a Member of the Organization, that Member shall, as soon as possible, conclude with the Organization an agreement to be approved by the Council relating to the status, privileges and immunities of the Organization, of its Executive Director, senior officials, staff and experts and of representatives of Members while in that country for the purpose of exercising their functions.

4. Unless any other taxation arrangements are implemented under the agreement envisaged in paragraph 3 of this article and pending the conclusion of that agreement, the new host Member shall:

- (a) Grant exemption from taxation on the remuneration paid by the Organization to its employees, except that such exemption need not apply to its own nationals; and
- (b) Grant exemption from taxation on the assets, income and other property of the Organization.

5. If the seat of the Organization is to be moved to a country which is not a Member of the Organization, the Council shall, before that move, obtain a written assurance from the Government of that country:

- (a) That it shall, as soon as possible, conclude with the Organization an agreement as described in paragraph 3 of this article; and