

No. 12352

**CANADA
and
ORGANISATION FOR ECONOMIC CO-OPERATION
AND DEVELOPMENT**

**Agreement on the privileges, exemptions and immunities of the
Organisation in Canada. Signed at Paris on 18 October 1966**

Authentic texts : French and English.

Registered by Canada on 28 March 1973.

**CANADA
et
ORGANISATION DE COOPÉRATION
ET DE DÉVELOPPEMENT ÉCONOMIQUES**

**Accord relatif aux privilèges, exemptions et immunités de l'Organi-
sation au Canada. Signé à Paris le 18 octobre 1966**

Textes authentiques : français et anglais.

Enregistré par le Canada le 28 mars 1973.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF CANADA
AND THE ORGANISATION FOR ECONOMIC CO-
OPERATION AND DEVELOPMENT ON THE PRIVI-
LEGES, EXEMPTIONS AND IMMUNITIES OF THE
ORGANISATION IN CANADA

The Government of Canada, of the one part, and the Organisation for Economic Co-operation and Development (hereinafter called "the Organisation"), of the other part;

Considering Supplementary Protocol No. 2 to the Convention on the Organisation signed at Paris on 14th December, 1960,² and, in particular, paragraph (b) thereof :

Have agreed as follows :

Article I

The Organisation shall possess juridical personality. It shall have the capacity :

- (i) to conclude contracts;
- (ii) to acquire and dispose of movable and immovable property;
- (iii) to institute legal proceedings.

Article II

The Organisation shall enjoy in Canada the immunities, exemptions and privileges defined in articles 2, 3, 4, 5, 6 and 8 of Supplementary Protocol No. I to the Convention for European Economic Co-operation of 16th April, 1948³ (hereinafter called "the Protocol").

Article III

a) Representatives of Members to the organs of the Organisation shall, while exercising their functions and during their journey to and from the place of meeting, enjoy in Canada the following privileges, immunities and facilities :

¹ Came into force on 22 May 1967, the date when the instrument of ratification by Canada was deposited with the Secretary-General of the Organisation for Economic Co-operation and Development, in accordance with article VIII.

² United Nations, *Treaty Series*, vol. 889, No. I-12736.

³ *Ibid.*, No. I-12735.

- (i) immunity from personal arrest or detention and from the seizure of their personal baggage and, in respect of all things done by them in their capacity as representatives (including words spoken or written), immunity from legal process of every kind;
- (ii) inviolability for all papers and documents;
- (iii) exemption in respect of themselves and their spouses from immigration restrictions, alien registration or national service obligations in the countries they are visiting or through which they are passing in the exercise of their functions;
- (iv) the same facilities in respect of currency or exchange regulations as are accorded the representatives of foreign governments on temporary official missions;
- (v) the same immunities and facilities with regard to their personal baggage as are accorded to diplomatic envoys;
- (vi) such other privileges, immunities and facilities, not inconsistent with the foregoing, as diplomatic envoys enjoy, except that they shall have no right to claim exemptions from customs duties on goods imported (otherwise than as part of their personal baggage) or from excise duties or sales taxes.

(b) The provisions of paragraph (a) are not applicable to a representative of Canada or to a Canadian citizen.

(c) In this article the expression “representative” shall be deemed to include ministers attending meetings of the Council, permanent representatives, their deputies, the members of permanent delegations and other representatives of Members on the organs of the Organisation.

Article IV

(a) The officials of the Organisation, whose names are included in the categories specified by the Secretary-General in application of article 13 of the Protocol and communicated periodically to Members, shall enjoy in Canada the privileges, immunities and exemptions specified in article 14 of the Protocol.

(b) The Secretary-General shall, in respect of himself, his spouse and children under the age 21, be accorded in Canada the privileges, immunities, exemptions and facilities accorded to heads of diplomatic missions in conformity with international law.

(c) The Deputy Secretaries-General shall enjoy in Canada the privileges, immunities, exemptions and facilities accorded by Canada to diplomatic representatives of comparable rank.

Article V

Experts, other than officials of the Organisation within the meaning of article IV, performing missions for the Organisation, shall be accorded in Canada the privileges, immunities and facilities, provided for in article 18 of the Protocol, which 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.

Article VI

Privileges, immunities and facilities are granted to officials and experts in the interest of the Organisation and not for the personal benefit of the individuals concerned.

Article VII

The Government of Canada and the Organisation may conclude supplementary agreements adjusting the provisions of the present Agreement.

Article VIII

(a) The present Agreement shall be subject to ratification by the Government of Canada.

(b) it shall come into force on the date when the instrument of ratification is deposited by the Government of Canada with the Secretary-General of the Organisation.

EN FOI DE QUOI, les soussignés, dûment autorisés à cet effet, ont apposé leurs signatures au bas du présent Accord.

FAIT à Paris le dix-huit octobre, mil neuf cent soixante-six, en français et en anglais, les deux textes faisant également foi, en deux exemplaires, dont l'un sera déposé auprès du Gouvernement du Canada et l'autre auprès du Secrétaire général de l'Organisation.

IN FAITH WHEREOF, the undersigned, being duly authorised to that effect, have appended their signature to the present Agreement.

DONE in Paris this eighteenth day of October, nineteen hundred sixty-six, in the English and French languages, both texts being equally authentic, in duplicate, one copy being deposited with the Government of Canada and the other with the Secretary-General of the Organisation.

Pour l'Organisation de coopération et de développement économiques :
For the Organisation for Economic Co-operation and Development :

THORKIL KRISTENSEN

Pour le Gouvernement du Canada :
For the Government of Canada :

C. J. SMALL

Sous la réserve faite à la séance du Conseil du 18 octobre 1966*.
Subject to the reservation made at the meeting of the Council
on 18 October, 1966.†

* Texte de la réserve :

« L'exemption de l'assujettissement à des impôts ou droits établis par les lois canadiennes ne sera pas étendue aux citoyens canadiens résidant ou ayant leur résidence ordinaire au Canada. »

† Text of the reservation :

“ Exemption from liability for any taxes or duties imposed by any law in Canada should not extend to a Canadian citizen residing or ordinarily resident in Canada.”