



BERMUDA

INTERNATIONAL ORGANIZATIONS (IMMUNITIES AND PRIVILEGES)
EUROPEAN SPACE AGENCY ORDER 2011

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The Governor, in the exercise of the power conferred by section 1(1) and (2) of the International Organizations Etc. (Immunities and Privileges) Act 1948 makes the following order:

Citation

1 This Order may be cited as the International Organizations (Immunities and Privileges) European Space Agency Order 2011.

Declaration of European Space Agency

2 The European Space Agency ("the Agency"), established under the Convention on the Establishment of a European Space Agency 1975 ("the Convention"), is declared to be an organization of which Her Majesty's Government in the United Kingdom and the government or governments of one or more foreign sovereign Powers are members.

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Immunities of the Agency

3 The Agency shall have the legal capacities of a body corporate, and the immunities and privileges specified in Schedule 1.

Immunities of Francesca Cipollini

4 Francesca Cipollini, as a person employed in Bermuda to perform official duties on behalf of the Agency, shall have the immunities and privileges specified in paragraph 1 of Schedule 2.

Immunities of Pier Michele Roviera

5 Pier Michele Roviera, as a person employed in Bermuda to perform official duties on behalf of the Agency, shall have the immunities and privileges specified in paragraph 2 of Schedule 2.

Immunities of Jerome Lavernhe

6 Jerome Lavernhe, as a person employed in Bermuda to perform official duties on behalf of the Agency, shall have the immunities and privileges specified in paragraph 3 of Schedule 2.

Immunities of Michel Starozinski

7 Michel Starozinski, as a person employed in Bermuda to perform official duties on behalf of the Agency, shall have the immunities and privileges specified in paragraph 4 of Schedule 2.

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SCHEDULE 1

(Paragraph 3)

Immunities and privileges of the European Space Agency

1 The Agency shall have legal personality and, except in so far as the Council of the Agency has waived the immunity of the Agency in any particular case, immunity from suit and legal process.

2 The Agency shall have the like inviolability of official archives and premises occupied as is accorded in the United Kingdom in respect of official archives and premises of an envoy of a foreign sovereign Power accredited to Her Majesty.

3 The Agency shall have the like exemption from taxes and rates, other than taxes on the importation of goods, as is accorded in the United Kingdom to a foreign sovereign Power.

4 The Agency shall have exemption from taxes on the importation of goods directly imported by the Agency for its official use in Bermuda or for exportation, or on the importation of any publications of the organization directly imported by it, such exemption to be subject to compliance with such conditions as the Governor acting on the advice of the Minister of Finance, may prescribe for the protection of the revenue.

5 The Agency shall have exemption from all prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the Agency for its official use and in the case of any publications of the Agency directly imported or exported by the Agency.

6 In this Schedule the "Council of the Agency" means the Council designated as an organ of the Agency under Article X of the Convention and which is composed of representatives of Member States as provided in paragraph 1 of Article XI of the Convention.

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SCHEDULE 2

(Paragraphs 4, 5, 6 & 7)

Immunities and privileges of Francesca Cipollini

1 (1) Except in so far as any immunity is waived by the Director General of the Agency, Francesca Cipollini shall enjoy immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties.

(2) The official duties mentioned in subparagraph (1) are the duties performed while acting as System Engineer as staff member of the Agency.

Immunities and privileges of Pier Michele Riviera

2 (1) Except in so far as any immunity is waived by the Director General of the Agency, Pier Michele Riviera shall enjoy immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties.

(2) The official duties mentioned in subparagraph (1) are the duties performed while acting as Ariane Ground Segment Project Manager as staff member of the Agency.

Immunities and privileges of Jerome Lavernhe

3 (1) Except in so far as any immunity is waived by the Director General of the Agency, Jerome Lavernhe shall enjoy immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties.

(2) The official duties mentioned in subparagraph (1) are the duties performed while acting as Bermuda Station Project Manager as agent of the Centre National d' Etudes Spatiales, on behalf of the Agency.

Immunities and privileges of Michel Starozinski

4 (1) Except in so far as any immunity is waived by the Director General of the Agency, Michel Starozinski shall enjoy immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties.

(2) The official duties mentioned in subparagraph (1) are the duties performed while acting as New Networks Project Manager as agent of the Centre National d' Etudes Spatiales, on behalf of the Agency.

Director General of the Agency

5 In this Schedule the "Director General of the Agency" means the Director General designated as an organ of the Agency under Article X of the Convention.

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Made this 7th day of October 2011

Governor