

THE TECHNICAL ASSISTANCE (IMMUNITIES  
AND PRIVILEGES) ACT

ORDERS

(under section 3)

The Technical Assistance (Immunities and Privileges) (International Institute of Tropical Agriculture) Order, 1986 L.N. 23/86

The Technical Assistance (Immunities and Privileges) (The Friedrich Ebert Stiftung and Konrad Adenauer Stiftung Foundations) Order, 1987 L.N. 140D/87

*Similar Order made in respect of:*

*The German-Caribbean Co-operation Programme* L.N. 91/88

ORDERS

(under section 3 and 4(2))

The Technical Assistance (Immunities and Privileges) (Federal Republic of Germany) Order, 1984 L.N. 173/84

The Technical Assistance (Immunities and Privileges) (Japan International Co-operation Agency) Order, 2014 L.N. 75'A/2014

The Technical Assistance (Immunities and Privileges) (Technical Aid Corps Programme of the Federal Republic of Nigeria) Order, 1989 L.N. 47/89

The Technical Assistance (Immunities and Privileges) (British Council) Order, 1990 L.N. 2E/90

The Technical Assistance (Immunities and Privileges) (Kingdom of the Netherlands) Order, 1994 L.N. 48D/94

The Technical Assistance (Immunities and Privileges) (Caisse Francaise de Developpement) Order, 1998 L.N. 30B/98

The Technical Assistance (Immunities and Privileges) (International Organization for Migration) Order, 2015 L.N. 61'A/2015

THE TECHNICAL ASSISTANCE (IMMUNITIES AND  
PRIVILEGES) ACT

ORDER  
(under section 3)

THE TECHNICAL ASSISTANCE (IMMUNITIES AND PRIVILEGES)  
INTERNATIONAL INSTITUTE OF TROPICAL AGRICULTURE) ORDER, 1986

*Made by the Minister on the 22nd day of January, 1986)*

L.N. 23/86

1. This Order may be cited as the Technical Assistance (Immunities and Privileges) (International Institute of Tropical Agriculture) Order, 1986.
2. The International Institute of Tropical Agriculture, hereinafter referred to as the approved organization, is hereby declared to be a foreign organization providing technical assistance to Jamaica.
3. For the purposes of the Act—
  - (a) the approved organization shall have all the immunities and privileges set out in Part I of the Schedule to the Act; and
  - (b) representatives and experts and their families and staff of the approved organization shall have all the immunities and privileges specified in Part II of the Schedule to the Act.

THE TECHNICAL ASSISTANCE (IMMUNITIES AND  
PRIVILEGES) ACT

ORDER  
(under section 3)

THE TECHNICAL ASSISTANCE (IMMUNITIES AND PRIVILEGES)  
(THE FRIEDRICH EBERT STIFTUNG AND KONRAD ADENAUER STIFTUNG  
FOUNDATIONS) ORDER, 1987

*(Made by the Minister on the 19th day of August, 1987)*

L.N. 140D/87

1. This Order may be cited as the Technical Assistance (Immunities and Privileges) (The Friedrich Ebert Stiftung and Konrad Adenauer Stiftung Foundations) Order, 1987.
2. The Friedrich Ebert Stiftung and Konrad Adenauer Stiftung Foundations, hereinafter referred to as the approved organizations, are hereby declared to be foreign organizations providing technical assistance to Jamaica.
3. For the purposes of the Act, the approved organizations shall have all the immunities and privileges set out in Part I of the Schedule to the Act.

**THE TECHNICAL ASSISTANCE (IMMUNITIES AND  
PRIVILEGES) ACT**

**ORDER**

*(under sections 3 and 4 (2))*

**THE TECHNICAL ASSISTANCE (IMMUNITIES AND PRIVILEGES) (FEDERAL  
REPUBLIC OF GERMANY) ORDER, 1984**

*(Made by the Minister on the 17th day of July, 1984)*

**L.N. 173/84**

**1. This Order may be cited as the Technical Assistance (Immunities and Privileges) (Federal Republic of Germany) Order, 1984.**

**2. The Federal Republic of Germany, hereinafter referred to as the approved government, is hereby declared to be a foreign government providing technical assistance to Jamaica.**

**3. For the purposes of the Act—**

- (a) the approved government shall have all the immunities and privileges set out in Part I of the Schedule to the Act, including, without prejudice to the generality of the foregoing, the exemption from customs duties provided for in paragraph 1 of that Part; and**
- (b) experts of the approved government shall have all the immunities and privileges specified in Part II of the Schedule to the Act.**

**4. In addition to the immunities and privileges referred to in paragraph 3 there is also conferred—**

- (a) on the approved government, exemption from taxes, rates, dues and charges (other than customs duties) relating to the items referred to in paragraph 1 of Part I of the Schedule to the Act; and**

*THE TECHNICAL ASSISTANCE (IMMUNITIES AND PRIVILEGES)  
(FEDERAL REPUBLIC OF GERMANY) ORDER, 1984*

- (b) on experts of the approved government, exemption from income tax and other fiscal charges in respect of any emoluments paid to them by the authorities of the approved government.

THE TECHNICAL ASSISTANCE (IMMUNITIES AND PRIVILEGES) ACT

ORDER  
(under sections 3 and 4)

THE TECHNICAL ASSISTANCE (IMMUNITIES AND PRIVILEGES) (JAPAN INTERNATIONAL COOPERATION AGENCY) ORDER, 2014

(Made by the Minister on the 23rd day of July, 2014)

L N 75'A/2014

1. These Regulations may be cited as the Technical Assistance (Immunities and Privileges) (Japan International Cooperation Agency) Order, 2014.

Citation

2.—(1) In this Order—

Interpretation

"the Agreement" means the Agreement on Technical Cooperation between the Government of Jamaica and the Government of Japan signed on the 5th day of November, 2013 at Tokyo and which is set out in the First Schedule;

"approved organization" means the Japan International Cooperation Agency declared an approved organization under paragraph 3;

"experts" means the JICA experts, the Japanese Senior Volunteers and the Japanese Missions;

"JICA" means the Japan International Cooperation Agency;

"representatives", includes foreign JICA staff dispatched from Japan.

(2) Terms and expression not defined in this Order shall, unless the context indicates otherwise, have the same meaning as in the Agreement.

3. The Japan International Cooperation Agency (JICA) (hereinafter referred to as the approved organization) is hereby declared to be an approved organization providing technical assistance to Jamaica.

Declaration of approved organization

4.—(1) For the purposes of the Act, the approved organization shall have the immunities and privileges set out in Part I of the Schedule to the Act.

Privileges and Immunities

(2) The representatives, the experts of the approved organization and their respective families shall be conferred with the immunities and privileges specified in Part II of the Schedule to the Act.

5. Notwithstanding paragraph 4, other than the immunities and privileges specified in the Schedule to the Act, the approved organization, its representatives and the experts of the approved organization are conferred with the immunities and privileges set out in the Second Schedule.

Other Immunities and Privileges

6. The Technical Assistance (Immunities and Privileges) (Japan International Cooperation Agency) Order, 1989, is revoked.

Revocation

## FIRST SCHEDULE

(Regulation 2)

*The Agreement on Technical Cooperation between  
the Government of Jamaica and the Government of Japan*

The Government of Jamaica and the Government of Japan,

Desiring to strengthen further the friendly relations existing between the two countries by the promotion of technical cooperation

Considering mutual benefits derived from promoting the economic and social development of their respective countries, and Recalling the Exchange of Notes between the Government of Jamaica and the Government of Japan dated December 2, 1987, concerning the dispatch of Japanese Overseas Cooperation Volunteers (hereinafter referred to as "JOCV") to Jamaica under the Japan Overseas Cooperation Volunteers Programme (hereinafter referred to as "the Exchange of Notes"),

Have agreed as follows

## ARTICLE I

The two Governments shall endeavor to promote technical cooperation between the two countries

## ARTICLE II

Separate arrangements which govern specific technical cooperation programs carried out under this Agreement shall be agreed upon between the competent authorities of the two Governments. The competent authority of the Government of Jamaica is the Ministry of Foreign Affairs and Foreign Trade, and the competent authority of the Government of Japan is the Ministry of Foreign Affairs

## ARTICLE III

1. The following forms of technical cooperation will be carried out by the Japan International Cooperation Agency (hereinafter referred to as "JICA") at its own expense in accordance with the laws and regulations in force in Japan as well as with the arrangements referred to in Article II:

- (a) providing technical training to Jamaican nationals,
- (b) dispatching experts (hereinafter referred to as the "JICA" Experts) to Jamaica;
- (c) dispatching Japanese volunteers with a wide range of technical skills and abundant experience (hereinafter referred to as the "Japanese Senior Volunteers") to Jamaica;
- (d) dispatching Japanese missions (hereinafter referred to as the "Japanese Missions") to Jamaica to conduct surveys of economic and social development projects of Jamaica;
- (e) providing the Government of Jamaica with equipment, machinery and materials; and
- (f) providing the Government of Jamaica with other forms of technical cooperation as may be decided upon by mutual consent between the two Governments

FIRST SCHEDULE, *cont d*

2 JOCV will be dispatched to Jamaica by JICA at its own expense in accordance with the laws and regulations in force in Japan, provisions of the Exchange of Notes, and relevant provisions of this Agreement

ARTICLE IV

The Government of Jamaica shall ensure that the technique and knowledge acquired by Jamaican nationals as well as the equipment, machinery and materials provided as a result of the Japanese technical cooperation as set forth in Article III contribute to the economic and social development of Jamaica, and are not utilized for military purposes

ARTICLE V

In case JICA dispatches the JICA Experts, the Japanese Senior Volunteers and the Japanese Missions, the Government of Jamaica shall

- 1 (1) (a) exempt the JICA Experts, the Japanese Senior Volunteers and members of the Japanese Missions from taxes including income tax, and fiscal charges imposed on or in connection with salaries and any salaries and any allowances remitted to them from abroad,
  - (b) exempt the JICA Experts, the Japanese Senior Volunteers, members of the Japanese Missions and their families from taxes including customs duties and fiscal charges, as well as from the requirements of obtaining import licenses in respect of the importation of
    - (i) baggage,
    - (ii) personal and household effects, and
    - (iii) one motor vehicle per JICA Expert, per family of the JICA Expert, per Japanese Senior Volunteer and per family of the Japanese Senior Volunteer assigned to stay in Jamaica,
  - (c) exempt the JICA Experts, the Japanese Senior Volunteers and their families who do not import any motor vehicle into Jamaica from taxes including value added tax and fiscal charges in respect of the local purchase of one motor vehicle per JICA Expert, per family of the JICA Expert, per Japanese Senior Volunteer and per family of the Japanese Senior Volunteer, and
  - (d) exempt the JICA Experts, the Japanese Senior Volunteers and their families from the registration fee of the motor vehicles mentioned in (b) (iii) and (c)
- (2) (a) provide at its own expense suitable offices and other facilities including telephone and facsimile services necessary for the performance of the duties of the JICA Experts, the Japanese Senior Volunteers and the Japanese Missions as well as bear the expenses for their operation and maintenance,
  - (b) provide at its own expense the local staff (including adequate interpreters, if necessary) as well as Jamaican counterparts to the JICA Experts, the Japanese Senior Volunteers and the Japanese Missions necessary for the performance of their duties,
  - (c) bear expenses of the JICA Experts and the Japanese Senior Volunteers for
    - (i) daily transportation to and from their place of work in the absence of a personal motor vehicle,
    - (ii) their official travels within Jamaica, and



- (iii) their official correspondence,
- (d) facilitate the acquisition of appropriate housing accommodation for the JICA Experts, the Japanese Senior Volunteers and their families and
- (e) facilitate the provision of medical care and facilities for the JICA Experts, the Japanese Senior Volunteers, members of the Japanese Missions and their families
- (3) (a) permit the JICA Experts, the Japanese Senior Volunteers members of the Japanese Missions and their families to enter, leave and sojourn in Jamaica for the duration of their assignment therein, and facilitate procedures for alien registration requirements for them,
- (b) issue identification cards to the JICA Experts, the Japanese Senior Volunteers and members of the Japanese Missions to secure the cooperation of all governmental organizations necessary for the performance of their duties,
- (c) facilitate the issuance of Jamaican driving license to the JICA Experts, the Japanese Senior Volunteers and their families who possess a driving license valid in a country other than Jamaica, and
- (d) carry out other measures necessary for the performance of the duties of the JICA Experts, the Japanese Senior Volunteers and the Japanese Missions

2 The motor vehicles mentioned in paragraph 1 shall, in accordance with the laws of Jamaica, be subject to payment of taxes including customs duties if they are subsequently sold or transferred within Jamaica to individuals or organizations not entitled to exemption from such taxes or similar privileges

3 The Government of Jamaica shall accord the JICA Experts, the Japanese Senior Volunteers, members of the Japanese Missions and their families such privileges, exemptions and benefits as are no less favorable than those accorded to experts, senior volunteers, members of missions and their families of any third country or of any international organization performing a similar mission in Jamaica

#### ARTICLE VI

The Government of Jamaica shall bear claims, if any arises, against the JICA Experts, the Japanese Senior Volunteers and members of the Japanese Missions resulting from, occurring in the course of, or otherwise connected with, the performance of their duties, except when the two Governments agree that such claims arise from gross negligence or willful misconduct on the part of the JICA Experts, the Japanese Senior Volunteers or members of the Japanese Missions

#### ARTICLE VII

1 In case JICA dispatches JOCV, the Government of Jamaica shall accord JOCV the privileges, exemptions and benefits on the basis of the Exchange of Notes and of the relevant provisions of this Agreement

2 The Government of Jamaica shall accord JOCV such privileges, exemptions and benefits as are no less favorable than those accorded to the volunteers of any third country or of any international organization performing a similar mission in Jamaica

#### ARTICLE VIII

1.—(1) In case JICA provides the Government of Jamaica with equipment, machinery and materials, the Government of Jamaica shall exempt such equipment, machinery and materials from taxes including customs duties and fiscal charges, as well as from the requirements of obtaining import licenses in respect of the importation. The equipment, machinery and materials mentioned

above shall become the property of the Government of Jamaica upon being delivered at the port of disembarkation to competent authorities of the Government of Jamaica

(2) In case JICA provides the Government of Jamaica with equipment, machinery and materials, the Government of Jamaica shall exempt such equipment, machinery and materials from taxes including value added tax and fiscal charges in respect of the local purchase

(3) The equipment, machinery and materials mentioned in sub-paragraphs (1) and (2) shall be utilized for the purpose specified in the arrangements referred to in Article II unless otherwise agreed upon between the competent authorities of the two Governments

(4) The expenses for the transportation within Jamaica of the equipment, machinery and materials mentioned in sub-paragraphs (1) and (2) and the expenses for their replacement, maintenance and repair shall be borne by the Government of Jamaica

2.—(1) The equipment, machinery and materials, acquired by JICA, necessary for the performance of the duties of the JICA Experts, the Japanese Senior Volunteers, members of the Japanese Missions and JOCV shall remain the property of JICA unless otherwise agreed upon between the competent authorities of the two Governments

(2) The Government of Jamaica shall exempt the JICA Experts, the Japanese Senior Volunteers, members of the Japanese Missions and JOCV from taxes including customs duties and fiscal charges, as well as from the requirements of obtaining import licenses in respect of the importation of the equipment, machinery and materials mentioned in sub-paragraph (1)

(3) The Government of Jamaica shall exempt the JICA Experts, the Japanese Senior Volunteers, members of the Japanese Missions and JOCV from taxes including value added tax and fiscal charges in respect of the local purchase of the equipment, machinery and materials mentioned in sub-paragraph (1)

#### ARTICLE IX

The Government of Jamaica shall maintain close contact, through organizations designated by it, with the JICA Experts, the Japanese Senior Volunteers and members of the Japanese Missions

#### ARTICLE X

1.—(1) It is confirmed that JICA may maintain its overseas office in Jamaica (hereinafter referred to as the "JICA Office") with a resident representative and his/her staff to be dispatched from Japan (hereinafter referred, to as the "JICA Representative" and the "JICA Staff" respectively) who perform the duties to be assigned to them by JICA relative to the technical cooperation programs under this Agreement in Jamaica

(2) The Government of Jamaica shall grant the JICA Office juridical personality in Jamaica. In particular, the JICA Office shall be granted the capacity

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

2 The Government of Jamaica shall

- (1) (a) exempt the JICA Representative, the JICA Staff and their families from taxes including income tax and fiscal charges imposed on or in connection with salaries and any allowances remitted to them from abroad,
  - (b) exempt the JICA Representative, the JICA Staff and their families from taxes including customs duties and fiscal charges, as well as from the requirements of obtaining import licenses in respect of importation of
    - (i) baggage,
    - (ii) personal and household effects, and
    - (iii) one motor vehicle per JICA Representative, per JICA Staff, per family of the JICA Representative and per that of the JICA Staff assigned to stay in Jamaica,
  - (c) exempt the JICA Representative, the JICA Staff and their families who do not import any motor vehicle into Jamaica from taxes including value added tax and fiscal charges in respect of the local purchase of one motor vehicle per JICA Representative, per JICA Staff, per family of the JICA Representative and per that of the JICA Staff,
  - (d) exempt the JICA Representative, the JICA Staff and their families from the registration fee of the motor vehicles mentioned in (b) and (iii) and (c),
  - (e) permit the JICA Representative, the JICA Staff and their families to enter, leave and sojourn in Jamaica for the duration of their assignment therein, and facilitate procedures for alien registration requirements for them,
  - (f) issue identification cards to the JICA Representative and the JICA Staff and issue special passes to the JICA Representative and the JICA Staff to enter airport/seaport beyond passport control point to receive and send off the JICA Experts, the Japanese Senior Volunteers, members of the Japanese Missions and JOCV subject to consideration of national security, public order or public health,
  - (g) facilitate the issuance of Jamaican driving license to the JICA Representative, the JICA Staff and their families who possess a driving license valid in a country other than Jamaica, and
  - (h) carry out other measures necessary for the performance of the duties of the JICA Representative and the JICA Staff
- (2) (a) exempt the JICA Office from taxes including customs duties and fiscal charges, as well as from the requirements of obtaining import licenses in respect of the importation of the equipment, machinery and materials, including motor vehicles, necessary for activities of the JICA Office,
  - (b) exempt the JICA Office from taxes including value added tax and fiscal charges in respect of the local purchase of the equipment, machinery and materials, including motor vehicles, necessary for the functions of the JICA Office,
  - (c) exempt the JICA Office from the registration fee of the motor vehicles mentioned in (a) and (b), and

- (d) exempt the JICA Office from taxes including income tax and fiscal charges imposed on or in connection with office expenses remitted from abroad

3 The motor vehicles mentioned in paragraph 2 shall, in accordance with the laws of Jamaica, be subject to payment of taxes including customs duties if they are subsequently sold or transferred within Jamaica to individuals or organizations not entitled to exemption from such taxes or similar privileges

4 The Government of Jamaica shall accord the JICA Representative, the JICA Staff and their families as well as the JICA Office such privileges, exemptions and benefits as are no less favorable than those accorded to representatives, staff and their families as well as offices of any third country or of any international organization performing a similar mission in Jamaica

5 The JICA Office, its property and assets, shall be accorded by the Government of Jamaica immunity from every form of legal process in Jamaica, except, in so far as in any particular case, the JICA Office has expressly waived its immunity with the consent of the Government of Japan. It is however understood that no waiver of immunity shall extend to any measure of execution which shall require further waiver

#### ARTICLE XI

The Government of Jamaica shall take necessary measures to ensure security of the JICA Experts, the Japanese Senior Volunteers, members of the Japanese Missions, JOCV, the JICA Representative, the JICA Staff and their families staying in Jamaica

#### ARTICLE XII

1 The two Governments shall consult with each other in respect of any matter that may arise from or in connection with this Agreement

2 This Agreement may be amended by mutual agreement in writing of the two Governments

#### ARTICLE XIII

1 The provisions of this Agreement shall also apply, after entry into force of this Agreement, to any specific technical cooperation programs which have commenced prior to the entering into force of this Agreement, and to the JICA Experts, the Japanese Senior Volunteers, members of the Japanese Missions, JOCV, the JICA Representative, the JICA Staff and their families staying in Jamaica as well as to the equipment, machinery and materials related to the said programs

2 The termination of this Agreement shall neither affect the specific technical cooperation programs being carried out until the date of the completion of the said programs, unless otherwise decided upon by mutual consent between the two Governments, nor affect the privileges, exemptions and benefits accorded to the JICA Experts, the Japanese Senior Volunteers, members of the Japanese Missions, JOCV, the JICA Representative, the JICA Staff and their families staying in Jamaica for the performance of their duties in connection with the said programs

#### ARTICLE XIV

1 This Agreement shall enter into force on the date of the signature thereof

2 This Agreement shall remain in force for a period of one year, and shall be automatically renewed every year for another period of one year each, unless either Government has given to the other Government at least six months' written advance notice of its intention to terminate the Agreement through diplomatic channels

III. TECHNICAL ASSISTANCE (IMMUNITIES AND PRIVILEGES)(JAPAN  
INTERNATIONAL COOPERATION AGENCY) ORDER, 2014

IN WITNESS WHEREOF the undersigned, duly authorized thereto, have signed this Agreement

DONE in duplicate in the Japanese and English languages, both texts being equally authentic, at Tokyo, on November 5, 2013

For the Government of Jamaica

For the Government of Japan




SECOND SCHEDULE

(Regulation 5)

*Other Immunities and Privileges*

1 In addition to the immunities and privileges conferred under paragraph 4(1) of this Order, the approved organization shall be exempt—

- (a) in relation to the importation of goods, from the payment of taxes or fiscal charges or any import licence requirements in relation thereto,
- (b) in relation to the local purchase of goods in Jamaica, from the payment of taxes, including any value added tax or fiscal charges in relation thereto

2 In addition to the immunities and privileges conferred under paragraph 4(2) of this Order, the experts on a mission in Jamaica shall be exempt from—

- (a) the payment of income taxes and fiscal charges in respect of or in connection with the payment of their salaries, remitted from Abroad, by JICA or the Government of Japan,
- (b) any requirement for the payment of tax or fiscal charges or an import licence in relation the importation of—
  - (i) baggage,
  - (ii) personal and household effects, or
  - (iii) in addition to the motor vehicle imported for use by the expert under paragraph 4(2), a motor vehicle for the use of the expert's family,
- (c) where the expert does not import a motor vehicle for the expert's use or for the use of his family, any requirement for the payment of any tax or fiscal charges in respect of the local purchase of a motor vehicle in Jamaica by the expert for the use of the expert or the expert's family, and
- (d) the payment of motor vehicle license duties and registration fees in respect of a motor vehicle owned by the expert.

3 In this Schedule, "fiscal charges" means any duty, due, fee or other impost

THE TECHNICAL ASSISTANCE (IMMUNITIES AND  
PRIVILEGES) ACT

ORDER

*(under sections 3 and 4 (2) )*

THE TECHNICAL ASSISTANCE (IMMUNITIES AND PRIVILEGES) (TECHNICAL  
AID CORPS PROGRAMME OF THE FEDERAL REPUBLIC OF NIGERIA)

ORDER, 1989

*(Made by the Minister on the 29th day of August, 1989)*

L.N. 47/89

1. This Order may be cited as the Technical Assistance (Immunities and Privileges) (Technical Aid Corps Programme of the Federal Republic of Nigeria) Order, 1989.

2. The Technical Aid Corps Programme of the Federal Republic of Nigeria, hereinafter referred to as the approved organization, is hereby declared to be a foreign organization providing technical assistance to Jamaica.

3. For the purposes of the Act, the approved organization and its staff of participants as referred to in the Agreement shall have the exemptions, immunities and privileges set out in paragraphs (IX), (X) and (XI) of the Agreement between the Government of Jamaica and the Government of the Federal Republic of Nigeria on the Technical Aid Corps Programme and inserted in the Schedule to this Order.

Schedule.

## SCHEDULE

(Paragraph 3)

- (IX) The monthly allowance payable to each participant by the Federal Republic of Nigeria shall be free from taxation in Jamaica.
- (X) The Government of Jamaica shall—
- (a) clear, store and transport the participants' tools of trade and other personal effects from the port of unloading to the duty station;
  - (b) grant the participants exemption from payment of local income taxes; and
  - (c) accord such participants "First Arrival Privileges" which give exemption from all taxes imposed by reason of importation of personal effects intended for the personal use of the participants or members of their families. The term 'personal effects' may include household goods and such articles as motor vehicles, air-conditioners, refrigerators, stereo sets, washing machines and other electronic gadgets which must accompany the participants or be imported within three (3) months of their arrival in the host country. Local sale of such items shall, however, be made only with the formal consent of, and clearance from the appropriate local authorities; and shall be liable to import duties, if sold to a person or persons not entitled to similar privileges.
- (XI) The Government of Jamaica shall grant the necessary facilities for the repatriation of the participants' tools of trade, personal effects and other household goods, as well as bank savings, interest and other payments, in accordance with the exchange control regulations in force in Jamaica.

THE TECHNICAL ASSISTANCE (IMMUNITIES AND  
PRIVILEGES) ACT

ORDER  
(under sections 3 and 4 (2) )

THE TECHNICAL ASSISTANCE (IMMUNITIES AND PRIVILEGES) (BRITISH  
COUNCIL) ORDER, 1990

(Made by the Minister on the 4th day of January, 1990)

L.N. 28/90

1. This Order may be cited as the Technical Assistance (Immunities and Privileges) (British Council) Order, 1990.

2. The British Council (hereinafter referred to as the approved organization) is hereby declared to be an organization providing technical assistance to Jamaica.

3. For the purposes of the Act—

- (a) the approved organization shall have all the immunities and privileges set out in Part I of the Schedule to the Act;
- (b) the representatives and experts of the approved organization shall have all the immunities and privileges specified in Part II of the Schedule to the Act.

4. Pursuant to section 4 (2) of the Act, in addition to the immunities and privileges accorded under Parts I and II of the Schedule to the Act—

- (a) the approved organization is accorded exemption from—
  - (i) any taxes imposed on income;
  - (ii) any duties, fees, levies or other charges (other than customs duties) relating to the items referred to in Part I of the Schedule to the Act;
  - (iii) customs duties on goods imported for the furtherance of the cultural and educational objectives of the Council;



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(BRITISH COUNCIL) ORDER, 1990*

- (b) the representatives and experts of the organization are accorded—
- (i) exemption from income tax and other fiscal charges in respect of any salary or emoluments arising outside of Jamaica or paid to them by the approved organization;
  - (ii) an additional motor car to be imported on the same terms and conditions applicable under Part II, paragraph 2 (a), of the Schedule to the Act;
  - (iii) exemption from duty on petrol and alcohol;
  - (iv) any other privilege usually accorded officials of comparable rank forming part of the diplomatic mission to the government.

THE TECHNICAL ASSISTANCE (IMMUNITIES AND  
PRIVILEGES) ACT

ORDERS

*(under sections 3 and 4 (2))*

THE TECHNICAL ASSISTANCE (IMMUNITIES AND PRIVILEGES)  
(KINGDOM OF THE NETHERLANDS) ORDER, 1994

*(Made by the Minister on the 15th day of June, 1994)*

L.N. 48D<sup>1</sup>/94

1. This Order may be cited as the Technical Assistance (Immunities and Privileges) (Kingdom of the Netherlands) Order, 1994.

2. The Kingdom of the Netherlands, hereinafter referred to as the approved government, is hereby declared to be a foreign government providing technical assistance to Jamaica.

3. For the purposes of the Act—

- (a) the approved government shall have all the immunities and privileges set out in Part I of the Schedule to the Act; and
- (b) experts of the approved government shall have all the immunities and privileges specified in Part II of the Schedule to the Act.

4. Pursuant to section 4 (2) of the Act, in addition to the immunities and privileges accorded under Parts I and II of the Schedule to the Act—

- (a) the approved government is accorded exemption from taxes, rates, dues and charges (other than customs duties) relating to the items (including motor cars) referred to in paragraph 1 of Part I of the Schedule to the Act which the approved government provides in relation to the technical assistance; and

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- (b) the experts of the approved government are accorded—
- (i) exemption from income tax and other fiscal charges in respect of any emoluments paid to them by the authorities of the approved government;
  - (ii) exemption from taxes, rates, dues and charges (other than customs duties).

THE TECHNICAL ASSISTANCE (IMMUNITIES AND  
PRIVILEGES) ACT

ORDER

(under sections 3 and 4 (2))

THE TECHNICAL ASSISTANCE (IMMUNITIES AND PRIVILEGES) (CAISSE  
FRANCAISE DE DEVELOPPEMENT) ORDER, 1998

(Made by the Minister on the 29th day of May, 1998)

L.N. 30B/98

1. This Order may be cited as the Technical Assistance (Immunities and Privileges) (Caisse Francaise de Developpement) Order, 1998.

2. Caisse Francaise de Developpement, or any subsidiary or agency thereof providing technical assistance to Jamaica (hereinafter referred to as the approved organization) is hereby declared to be a foreign organization providing technical assistance to Jamaica.

3. For the purposes of the Act—

- (a) the approved organization shall have all the immunities and privileges set out in Part I of the Schedule to the Act; and
- (b) the representatives and experts of the approved organization shall have all the immunities and privileges specified in Part II of the Schedule to the Act.

4. Pursuant to section 4 (2) of the Act—

- (a) the approved organization is, subject to Part I of the Schedule to the Act relating to customs duties, accorded the like exemption or relief from taxes, duties, rates and fees as is accorded to a Sovereign Power; and shall have the legal capacity of a body corporate to which section 28 of the Interpretation Act applies;
- (b) the approved organization shall—
  - (i) in relation to the granting of credit facilities or guarantees to the Government of Jamaica, or to any public institution, bank, financial institution or private entity

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(CAISSE FRANCAISE DE DEVELOPPEMENT) ORDER, 1998*

- carrying out its operations in Jamaica, be exempted from the provisions of the Banking Act, the Money-lending Act, the Financial Institutions Act and all connected declaratory obligations except with respect to information necessary for preparing balance of payment statistics and for centralization of information on bank risks;
- (ii) be entitled, to transfer to France any sums representing interest and proceeds accruing to it, as well as those sums received from loan repayments and the resale of shares or buildings acquired during the course of activities;
  - (iii) be entitled, if so desired to freely acquire equity interests from any Jamaican or foreign vendor and to assign such equity interests to any Jamaican or foreign purchaser without any prior authorization or submission of information being required;
- (c) the representatives and experts of the approved organization shall be exempted from—
- (i) the provisions of Parts II and III of the Aliens Act; and
  - (ii) the requirements of sections 3, 4 and 6 of the Foreign Nationals and Commonwealth Citizens (Employment) Act.

THE TECHNICAL ASSISTANCE (IMMUNITIES  
AND PRIVILEGES) ACT

ORDER  
(under sections 3 and 4)

THE TECHNICAL ASSISTANCE (IMMUNITIES AND PRIVILEGES)  
(INTERNATIONAL ORGANIZATION FOR MIGRATION) ORDER, 2015  
(Made by the Minister on the 30th day of April, 2015)

L.N. 61'A/2015

1. This Order may be cited as the Technical Assistance (Immunities and Privileges) (International Organization for Migration) Order, 2015

Citation.

2.—(1) In this Order—

Interpretation.

"Agreement" means the Agreement between Jamaica and the International Organization for Migration on the Legal Status, the Privileges and Immunities of this Organization in Jamaica, signed on the 3rd day of November, 1994 and which is set out in the First Schedule;

"organization" means the International Organization for Migration.

(2) Terms and expressions not defined in the Act or this Order shall, unless the context indicates otherwise, have the same meaning as in the Agreement.

3. The organization is hereby declared to be an organization providing technical assistance to Jamaica.

4.—(1) For the purposes of the Act, the organization shall have the immunities and privileges set out in Part I of the Schedule to the Act.

(2) The organization's representatives, experts and their respective families, shall be conferred with immunities and privileges specified in Part II of the Schedule to the Act.

5. For the purposes of the Act, the organization, its representatives and experts shall pursuant to section 4(2) of the Act, in addition to the immunities and privileges specified in paragraph 4, have the exemptions, immunities and privileges set out in the Schedule hereto, being such as are provided for in Articles 2 and 3 of the Agreement.

## SCHEDULE

(Paragraph 2)

*The Agreement on Technical Cooperation between  
the Government of Jamaica and the International  
Organization for Migration*

AGREEMENT BETWEEN JAMAICA AND THE  
INTERNATIONAL ORGANIZATION FOR MIGRATION ON  
THE LEGAL STATUS, THE PRIVILEGES AND IMMUNITIES  
OF THIS ORGANIZATION IN JAMAICA

THE GOVERNMENT OF JAMAICA, on the one hand, and the INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM), hereinafter called the Organization, on the other hand, being mutually interested in establishing a long-term cooperation,

BEARING IN MIND that Article 27 of the Constitution of the Organization confers juridical personality on the Organization and such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purpose, and that the Organization and its staff should enjoy privileges and immunities as provided for in Article 28 of the Constitution,

CONSIDERING that the purpose and functions of the Organization and the activities carried out by the Organization and its staff warrant the granting in Jamaica to the Organization and its staff of privileges and immunities to which an international organization is entitled under the Technical Assistance (Immunities and Privileges) Act of 23 November, 1982 and under other regulations applicable to international governmental organizations,

HAVE AGREED on the following provisions:

*Article 1*

The Organization 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 2*

1. The Organization, its 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 it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

2. The premises of the Organization shall be inviolable. The property and assets of the Organization, 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.

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

*Article 3*

1. Without being restricted by financial controls, regulations or moratoria of any kind, the Organization may hold funds or currency of any kind and operate accounts in any currency. It may freely transfer its funds or currency from, to or within Jamaica and convert any currency held by it into any other currency.

FIRST SCHEDULE, *cont'd.*

2. The Organization, its assets, income and other property shall be exempt from all direct taxes; it is understood, however, that it will not claim exemption from taxes which are, in fact, no more than charges for public utility services.

*Article 4*

The Organization shall further enjoy the same privileges and immunities as those granted to Foreign Organizations by virtue of the Technical Assistance (Immunities and Privileges) Act of 23 November, 1982 and the Jamaican regulations pertaining to this matter, as follows:

1. Exemption from custom duties:
  - (a) on goods directly imported by it for its official use in Jamaica or for exportation; and
  - (b) on the importation of any of its publications if such publications are directly imported by it, so however, that any such exemption shall be subject to compliance with such conditions as the Customs and Excise may prescribe for the protection of the revenue.
2. Exemption from prohibitions and restrictions on importation or exportation:
  - (a) in the case of goods directly imported or exported by it for its official use; and
  - (b) in the case of any publications if such publications are directly imported or exported by it.
3. The right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the Press or for broadcasting (including communications addressed to or despatched from places outside Jamaica) of any reduced rates applicable for the corresponding service in the case of the Press telegrams.

*Article 5*

The Director General and the Deputy Director General of the Organization, on the one hand, and the staff members of the Organization, on the other hand, shall enjoy in Jamaica the same privileges and immunities as those granted to Executive Heads and to staff members, respectively, of Foreign Organizations by virtue of the Technical Assistance (Immunities and Privileges) Act of 23 November, 1982 and other regulations applicable to international governmental organizations, as follows:

1. Each representative and expert shall be exempt from customs duties in respect of the importation of:
  - (a) one motor car for his personal use; and
  - (b) personal and household effects of himself and members of his family and staff; and
  - (c) reasonable quantities of medicine and special health foods for the use of himself and members of his family and staff. In this paragraph, the expression "members of family" when used in relation to any person means that person's wife or husband, as the case may be, and children under the age of eighteen; and such other members of his household as may be approved by the Minister.
2. The exemptions granted pursuant to paragraph 1 shall be subject to the following conditions:



- (a) the exemption under paragraph 1(1)(a) shall:
- (i) Apply only to persons on assignment in Jamaica for six months or more;
  - (ii) Not be granted later than six months after the date of the person's arrival in Jamaica for his tour of duty;
  - (iii) Be subject to the condition that if the motor car is sold, pledged or transferred or otherwise disposed of within three years of importation or prior to the termination of the person's tour of duty in the island, whichever is earlier, to a person who is not entitled to customs duty privileges, custom duties assessed as at the date of importation shall be payable;
- (b) The exemption under paragraph 1(1)(b) shall not be granted later than six months after the date of the person's first arrival in Jamaica for his tour of duty.
3. The staff members of the Organization, irrespective of their nationality, shall be entitled to:
    - (a) immunity from suit and legal process in respect of words spoken or written and acts done by them in their official capacity; and
    - (b) immunity from personal arrest or detention in respect of acts done by them in the performance of official duties; and
    - (c) exemption from taxation in respect of salaries and emoluments paid to them by the Organization; and
    - (d) immunity from seizure of their personal baggage.
  4. Subject to any laws or regulations concerning zones entry into which is prohibited or regulated for reasons of national security, the experts or representatives shall be granted freedom of movement and travel within Jamaica.

*Article 6*

In cooperation with the Government and subject to availability of funds, IOM shall implement in Jamaica a programme for the return of qualified human resources. Other migration programmes may be carried out under the same modalities and upon strengthening of the institutional relationship of the Government with the IOM.

*Article 7*

To carry out its programmes and activities in the country, IOM is authorized by the Government to open an office in Kingston and to appoint appropriate international and local staff.

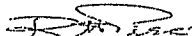
*Article 8*

1. This Agreement shall enter into force upon its signature by the representatives of both parties.
2. This Agreement may be revised at the request of either party. If the negotiations do not result in an understanding within six months, this Agreement may be denounced by either party giving one year's notice.

IN FAITH WHEREOF the undersigned representatives, duly authorized for that purpose, have signed this Agreement.

DONE in duplicate at Geneva, 3 November, 1994.

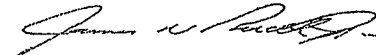
For the Government of Jamaica:



Dated this 30th day of April, 2015.

No. 46-200/10

For the International Organization for Migration



ARNOLD NICHOLSON, OC  
Minister of Foreign Affairs and Foreign Trade.