

**Section 9.** While the Agency will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the Agency is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, States parties to this Agreement will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

#### ARTICLE IV

##### Facilities in Respect of Communications

**Section 10.** The Agency shall enjoy, in the territory of each State party to this Agreement and as far as may be compatible with any international conventions, regulations and arrangements to which that State is a party, for its official communications, treatment not less favourable than that accorded by the Government of such a State to any other Government, including the latter's diplomatic mission, in the matter of priorities, rates and taxes for posts and telecommunications, and press rates for information to the press and radio.

**Section 11.** No censorship shall be applied to the official correspondence and other official communications of the Agency.

The Agency shall have the right to use codes and to dispatch and receive correspondence and other official communications by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Nothing in this section shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a State party to this Agreement and the Agency.

#### ARTICLE V

##### Representatives of Members

**Section 12.** Representatives of Members at meetings convened by the Agency shall, while exercising their functions and during their journeys to and from the place of meeting, enjoy the following privileges and immunities:

- (a) Immunity from personal arrest or detention and from seizure of their personal baggage, and in respect of words spoken or written and all acts done by them in their official capacity, immunity from legal process of every kind;
- (b) Inviolability for all papers and documents;
- (c) The right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (d) Exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration or national service obligations in the State which they are visiting or through which they are passing in the exercise of their functions;
- (e) The same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;
- (f) The same immunities and facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions.

**Section 13.** In order to secure for the representatives of Members of the Agency at meetings convened by the Agency complete freedom of speech and complete independence in the discharge of their duties, the immunity from legal process

in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer engaged in the discharge of such duties.

**Section 14.** Where the incidence of any form of taxation depends upon residence, periods during which the representatives of Members of the Agency at meetings convened by the Agency are present in a Member State for the discharge of their duties shall not be considered as periods of residence.

**Section 15.** Privileges and immunities are accorded to the representatives of Members, not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connexion with the Agency. Consequently, a Member not only has the right but is under a duty to waive the immunity of its representatives in any case where, in the opinion of the Member, the immunity would impede the course of justice, and where it can be waived without prejudice to the purpose of which the immunity is accorded.

**Section 16.** The provisions of sections 12, 13 and 14 are not applicable in relation to the authorities of a State of which the person is a national or of which he is or has been a representative.

#### ARTICLE VI

##### Officials

**Section 17.** The Agency shall from time to time make known to the Governments of all States parties to this Agreement the names of the officials to whom the provisions of this Article and of Article IX apply.

##### Section 18.

(a) Officials of the Agency shall:

- (i) Be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
  - (ii) Enjoy the same exemptions from taxation in respect of the salaries and emoluments paid to them by the Agency and on the same conditions as are enjoyed by officials of the United Nations;
  - (iii) Be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
  - (iv) Be accorded the same privileges in respect of exchange facilities as are accorded to officials of comparable rank of diplomatic missions;
  - (v) Be given together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crises as officials of comparable rank of diplomatic missions;
  - (vi) Have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.
- (b) Officials of the Agency shall, while exercising the functions of an inspector under Article XII of the Statute of the Agency or those of a project examiner under Article XI thereof, and while travelling in their official capacity en route to and from the performance of these functions, enjoy all the additional privileges and immunities set forth in Article VII of this Agreement so far as is necessary for the effective exercise of such functions.

**Section 19.** The officials of the Agency shall be exempt from national service obligations, provided that in relation