

BILL No. 28 of 1992

WEDNESDAY, 29TH JULY, 1992

**PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.**

92—07—29.

The following Bill which will be introduced in the National Assembly is published for general information.

F. A. Narain,
Clerk of the National Assembly.



GUYANA

BILL No. 28 of 1992

**PRIVILEGES AND IMMUNITIES
(COMMISSION OF THE EUROPEAN COMMUNITIES) BILL 1992**

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement.
2. Interpretation.
3. Incorporation of the European Communities.
4. Articles 2 and 3 given force of law.
5. Validation.

Schedule.

A BILL

Intituled

AN ACT to provide for the implementation of the Agreement between the Government of the Co-operative Republic of Guyana and the Commission of the European Communities and for purposes connected therewith.

A.D. 1992

Enacted by the Parliament of Guyana:—

Short title
and
commence-
ment.

1. This Act may be cited as the Privileges and Immunities (Commission of the European Communities) Act 1992 and shall be deemed to have come into operation on 14th November, 1990.

Interpreta-
tion.

2. In this Act "Agreement" means the Agreement between the Government of the Co-operative Republic of Guyana and the Commission of the European Communities the text of which is set out in the Schedule.

Schedule.

Incorporation of the
European
Communi-
ties.

3. The European Communities shall be deemed to be a body corporate established by this Act.

Articles 2
and 3 given
force of
law.

4. The provisions of Article 2 and Article 3 (to the extent to which Article 3 is applicable) of the Agreement shall have the force of law in Guyana.

Validation.

5. Notwithstanding that the Agreement was not in force, all things done and actions taken on or after 14th November, 1990 and before the coming into operation of this Act by the European Communities, the Commission Delegation, the head and members thereof and the members of their families who form part of their respective households in purported exercise of their powers, privileges and immunities under the Agreement which would have been lawful and valid had this Act been in operation at the material dates, shall be, and shall be deemed always to have been lawfully and validly done or taken.

SCHEDULE

s.2

Agreement between the Government of the Co-operative Republic of Guyana and the Commission of the European Communities on the Establishment and on the Privileges and Immunities of the Delegation of the Commission of the European Communities.

The Government of the Co-operative Republic of Guyana and the Commission of the European Communities.

Desirous of strengthening existing relations between the Co-operative Republic of Guyana and the European Communities and facilitating attainment of the objectives of the ACP-EEC Co-operation Agreements, especially the Lome Convention,

Desirous of stipulating the terms governing the establishment on the Co-operative Republic of Guyana territory of a Delegation of the Commission of the European Communities (hereinafter referred to as the "Commission") and its privileges and immunities.

Have agreed as follows:

Article 1

The Government of the Co-operative Republic of Guyana consents to the establishment of a Commission Delegation on Guyana's territory.

Article 2

- 1. The European Communities shall have legal personality in the Co-operative Republic of Guyana.
- 2. The European Communities shall have the capacity to conclude contracts, to acquire and dispose of immovable and movable property and to conduct legal proceedings, and shall be represented for that purpose by the Commission on Guyana's territory.

Article 3

- 1. The Commission Delegation, the head and members thereof and the members of their families who form part of their respective households shall enjoy on Guyana's territory privileges and immunities corresponding to those which have the force of law under the provisions of the Privileges and Immunities (Diplomatic, Consular and International Organisations) Act, Chapter 18:01 of the laws of Guyana, and in conformity with the Vienna Convention on diplomatic relations of 18 April 1961, are granted to diplomatic missions accredited to the Government of the Co-operative Republic of Guyana, to their heads and members and the members of their families who form part of their respective households.

2. Those rights and diplomatic privileges and immunities shall be accorded on condition that, in conformity with the provisions of article 17 of the Protocol on the Privileges and Immunities of the European Communities annexed to the Treaty establishing a single Council and a single Commission of the European Communities done at Brussels on 8 April 1965, the Member States of the European Communities accord the same rights and diplomatic privileges and immunities to the Mission of the Government of the Co-operative Republic of Guyana to the European Communities, to its head and to its members, as well as to the members of their families forming part of their respective households.

3. The Government of the Co-operative Republic of Guyana hereby recognizes the laissez-passer issued by the European Community to officials and other servants of its institutions as valid travel documents.

Article 4

Any dispute concerning the Interpretation or application of this Agreement shall be settled by consultation between the two parties with the aim of arriving at a conciliation.

Article 5

This Agreement shall enter into force on the date of its signing.

IN WITNESS WHEREOF the undersigned, duly authorised to this effect, have signed this Agreement.

Done at GEORGETOWN, this 17th day of June, in the year One Thousand nine Hundred and Ninety-one.

For the Government of the Co-operative Republic of Guyana	For the Commission of the European Communities
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(Sgd) C. H. Grant
Special Adviser to the
President on Foreign Affairs.

(Sgd) Manual Marin
Vice-President

EXPLANATORY MEMORANDUM

This Bill seeks to give effect to the Agreement in the Schedule between Guyana and the Commission of the European Communities on the Establishment and on the Privileges and Immunities of the Delegation of the Commission of the European Communities.

K. S. Massiah,
Attorney-General
and Minister of Legal Affairs.