



International Atomic Energy
Agency

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THE TEXTS OF THE AGENCY'S AGREEMENTS WITH THE REPUBLIC OF AUSTRIA

I. Headquarters Agreement

Amendments

1. The text [1] of the Agreement between the International Atomic Energy Agency and the Republic of Austria Amending the Agreement of 11 December 1957 Regarding the Headquarters of the International Atomic Energy Agency, [2] which was signed on 4 June 1970, is reproduced in this document for the information of all Members.
2. Members will be informed of the entry into force of the Amendments to the Headquarters Agreement.

[1] The footnote to the text has been added in the present information circular,

t 2] INFCIRC/15, part I

AGREEMENT BETWEEN THE INTERNATIONAL ATOMIC ENERGY AGENCY
AND THE REPUBLIC OF AUSTRIA AMENDING THE AGREEMENT OF
11 DECEMBER 1957 REGARDING THE HEADQUARTERS OF
THE INTERNATIONAL ATOMIC ENERGY AGENCY

The International Atomic Energy Agency and the
Republic of Austria

In the light of sub-section 49(c) of the Agreement signed on 11 December 1957 regarding the Headquarters of the International Atomic Energy Agency [2] - herein-after referred to as the "Headquarters Agreement" - which provides that terms and conditions contained in any agreement between the Republic of Austria and another intergovernmental organization and more favourable to that organization than similar terms and conditions of the Headquarters Agreement shall be extended to the IAEA by means of a supplemental agreement, and

Having regard to various terms and conditions of the Agreement signed on 13 April 1967 between the United Nations and the Republic of Austria regarding the Headquarters of the United Nations Industrial Development Organization, together with the exchange of notes of the same date,

Have agreed as follows:

Article I

Sub-section 22(g) of the Headquarters Agreement shall be amended to read as follows:

"Articles imported in accordance with sub-sections (d) and (e) or obtained from the Government in accordance with sub-section (f) of this section shall not be sold by the IAEA in the Republic of Austria within two years of their importation or acquisition, unless otherwise agreed upon by the Government. "

Article II

Section 24 of the Headquarters Agreement shall be amended to read as follows:

"The United Nations Joint Staff Pension Fund and any pension or provident fund established by or conducted under the authority of the IAEA shall enjoy legal capacity in the Republic of Austria if the IAEA so requests and shall enjoy the same exemptions, privileges and immunities as the IAEA itself. The legal status enjoyed by the United Nations Joint Staff Pension Fund in the Republic of Austria by virtue of other international agreements shall not be affected by this provision."

Article III

Section 26 of the Headquarters Agreement shall be supplemented by a third sentence to read as follows:

"Persons to whom this Agreement applies, and who are not Austrian nationals or stateless persons resident in the Republic of Austria, shall not benefit under the Austrian regulations governing family and maternity allowances. "

Article IV

(1) Sub-section 38(d) of the Headquarters Agreement shall be amended to read as follows:

"Exemption from taxation in respect of the salaries, emoluments, indemnities and pensions paid to them by the IAEA or by one of the pension or provident funds referred to in section 24 for services past or present or in connection with their service with the IAEA."

(2) Sub-section 38(h) of the Headquarters Agreement shall be amended to read as follows:

"Freedom to acquire or maintain within the Republic of Austria or elsewhere foreign securities, foreign currency accounts and other movable and, under the same conditions applicable to Austrian nationals, immovable property; and at the termination of their IAEA employment the right to take out of the Republic of Austria through authorized channels without prohibition, or restriction, their funds in the same currency and up to the same amounts as they had brought into the Republic of Austria. "

(3) Sub-section 38(j)(iii) of the Headquarters Agreement shall be amended to read as follows:

"Limited quantities of certain articles for personal use or consumption and not for gift or sale; the IAEA may establish a commissary for the sale of such articles to its officials, to the Governors and Resident Representatives to the IAEA, and to those of their alternates, advisers and experts who have diplomatic status; a supplemental agreement shall be concluded between the IAEA and the Government to regulate the exercise of these rights. "

Article V

(1) Sub-section 48(c) of the Headquarters Agreement shall be amended to read as follows:

"Officials of the IAEA who are Austrian nationals or stateless persons resident in the Republic of Austria shall enjoy the privileges and immunities, exemptions and facilities accorded by this Agreement to the extent recognized by international law as accepted by the Government, provided, however, that sections 25 and 26 and sub-sections 38(a), 38(d) and 38(g) shall, in any event, apply to them. They shall also have access to the Commissary established in accordance with sub-section 38(j)(iii), the exercise of this right being regulated by the supplemental agreement provided for in that sub-section. Experts of the IAEA who are Austrian nationals or stateless persons resident in the Republic of Austria shall enjoy only the privileges and immunities, exemptions and facilities accorded by sub-sections 42(a), 42(b), 42(c), 42(d), 42(g) and 42(h). "

(2) Sub-section 48(d) of the Headquarters Agreement shall be amended to read as follows:

"This Agreement shall apply irrespective of whether the Government maintains or does not maintain diplomatic relations with the State concerned and irrespective of whether the State concerned grants a similar privilege or immunity to the diplomatic envoys or nationals of the Republic of Austria.

Article VI

This Agreement shall enter into force upon an exchange of notes between the Director General of the International Atomic Energy Agency and the duly authorized representative of the Federal President of the Republic of Austria.

DONE at Vienna, this fourth day of June 1970, in two copies in the Chinese, English, French, Russian, Spanish and German languages, each text being equally authentic.

For the INTERNATIONAL ATOMIC ENERGY AGENCY:

(signed) Sigvard Eklund

For the REPUBLIC OF AUSTRIA:

(signed) Rudolf Kirchschräger