ARTICLE 37

(1) Members of the SC and any subordinate committees established by the SC, as well as national auditors designated by each Party, together "representatives of the Parties", shall, within and with respect to any Host Country, while exercising their functions and in the course of their journeys to and from the place of meeting, enjoy the following privileges and immunities:

(a) immunity from personal arrest and detention;

(b) immunity from legal process, even after the termination of their mission, in respect of acts, including words spoken and written, done by them in the exercise of their functions. Such immunity shall not apply, however, in the case of motor traffic offences committed by a representative of a Party, nor in the case of damage caused by a motor vehicle or other mode of transport belonging to or driven by him/her;

(c) inviolability for all their official papers and documents;

(d) the right to use codes and to receive documents or correspondence by special courier or sealed bag;

(e) exemption from measures restricting entry and from aliens' registration formalities; and

(f) the same facilities in the matter of currency and exchange control as are accorded to the representatives of foreign governments on temporary official missions.

(2) Privileges and immunities are accorded to representatives of the Parties not for their personal advantage, but in order to ensure complete independence in the exercise of their functions in connection with the GCAP. Consequently, the sending Party should waive the immunity of a representative wherever retaining it would impede the proper administration of justice.

(3) This Article shall not apply in respect of the Party of which a representative is a national or permanent resident.

ARTICLE 38

(1) The Agency Personnel shall enjoy the following privileges and immunities:

(a) within and with respect to any Host Country, immunity from legal process with respect to words spoken or written and all acts performed by them in their official capacity. Such immunity shall continue notwithstanding that the persons concerned may have ceased to be Agency Personnel, but only on matters pertaining to their former role within the Agency. Such immunity shall not apply, however, in the case of motor traffic offences committed by the Agency Personnel, nor in the case of damage caused by a motor vehicle or other mode of transport belonging to, driven by or operated on behalf of any of the Agency Personnel;

(b) within and with respect to any Host Country, inviolability for all their official papers and documents; and

(c) within and with respect to the Host Country where their usual workplace is located, the same repatriation facilities for them and their accompanying family members forming part of the household which are granted to foreign diplomats in times of international crisis.

(2) Paragraph (1)(a) shall not apply to nationals or permanent residents of the respective Host Country as far as violations of national laws regarding the protection of classified information provided for in Chapter IX are concerned.

(3) Paragraph (1)(c) shall not apply to nationals or permanent residents of the Host Country.

ARTICLE 39

The Agency Personnel who are not nationals or permanent residents of the Host Country shall enjoy, within and with respect to the Host Country where their usual workplace is located, the following privileges and immunities:

(a) exemption from taxation on salaries and emoluments paid to them by the GIGO;

(b) exemption with respect to them and their accompanying family members forming part of the household from immigration restrictions or alien registration procedures, as are normally accorded to staff members of international organisations; and

(c) the right to import free of customs duties, at the time of first taking up their post, their furniture and effects, in one or more separate shipments, which shall be despatched within a reasonable period of time, and in any case within 6 months of the date of entry into the Host Country.