

Headquarters Agreement

Between

The Government of the Republic of Sudan

And

**The Association of Tax Authorities
of Islamic Countries (ATAIC)**

August 2015

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In the Name of Allah Most Gracious Most Merciful
Headquarters Agreement
Between
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And
The Association of Tax Authorities of Islamic Countries (ATAIC)

Preamble:-

The Government of the Republic of Sudan and the Association of Tax Authorities of Islamic Countries (ATAIC) hereinafter referred to as the (Two Parties):-

- Aware of the importance of promoting cooperation and mutual assistance among tax authorities and providing a platform for the exchange of experiences and best practices among Member Countries;
- Pursuant to the decision made by the Council of Ministers of Foreign Affairs of the Organization of Islamic Cooperation (OIC) in its Thirty-Eighth Session (Session of Peace, Cooperation and Development) held in Astana, Republic of Kazakhstan during the period from 26 to 28 Rajab 1432 AH, corresponding to 28-30 June 2011,
- Which decided to accept the request made by the Association of Tax Authorities of Islamic Countries to obtain the capacity of an OIC affiliated institution (OICACFM – 38 / 2011/ORG / SG.REP.6 OICACFM - 38 / 2011/ORG / SG.REP.6);
- Following the voting of the Heads of Delegations Meeting during the 9th conference of ATAIC held in Jordan to establish the Permanent Secretariat in Sudan;
- The Government of the Republic of Sudan and the Association of Tax Authorities of Islamic Countries have agreed to establish the Headquarters of The Secretariat in Khartoum, the capital of Sudan.

Article 1
Definitions

The following definitions shall have their respective meanings:

- Association:** Association of Tax Authorities of Islamic Countries;
Country of Headquarters: Republic of Sudan
Secretary General: Secretary General of ATAIC

Article 2
The Headquarters

The main headquarters of **ATAIC** shall be in Khartoum the capital city of Sudan

Article 3
Rights in Country of Headquarters

ATAIC has a legal personality in the Republic of Sudan, which guarantees the following rights within his competence:

1. Ownership of movable and immovable properties in accordance with the applicable laws;
2. Concluding contracts;
3. Litigation;
4. Taking all other legal actions required by the nature of ATAIC.

Article 4
Immunities

1. Non-Sudanese ATAIC staff, experts and representatives of Member Countries attending ATAIC meetings, shall enjoy all privileges and immunities adopted by the Convention of OIC.
2. Persons referred to in paragraph (1) of Article 4 regarding their official work required by the nature of ATAIC in the Country of Headquarters shall benefit from the following immunities:
 - a. Shall not be subject to arrest, or detention or seizure of their personal baggage.
 - b. Legal immunity in regard to their oral written statements, as well as their actions by virtue of work.
 - c. Sanctity of the ATAIC buildings, though the **Association** shall undertake to prohibit using of its premises as a shelter home to the National Law Violators
 - d. Sanctity of editions and documents of the work of ATAIC.
3. The Secretary-General shall lift immunities from the staff, properties, assets, documents and others matters of the ATAIC in any cases where she/he deems that immunity may obstruct the achievement of justice.
4. Notwithstanding the provisions of the above paragraphs regarding the privileges and the immunities referred to, if any person referred to in this agreement abused the privilege of residence or practiced an activity in contradiction with Sudan's interest transcending the limits of his official capacity, the Country shall have the right to decide his deportation immediately outside its territories in conformity with the diplomatic norms.

Article 5
Exemptions

ATAIC benefits from the following exemptions:

- 1- Customs duties with relation to the needs and work aids of ATAIC of any kind imported from abroad according to the organizing rules determined by the Headquarter Country.
- 2- all taxes and fees, except the fees for public services those imposed on dealers with the **Association** organized according to the laws of the host country. ;
- 3- Residence, entry and exit visa fees for ATAIC officials and their families and experts, and guests invited to attend its meetings, as well as those assigned to any official work concerning ATAIC activities.

Article 6
National Staff

ATAIC staffs who are citizens of the Country of Headquarters shall be excluded from the provisions of the privileges and immunities provided for in this Agreement.

Article 7
Banking Transactions

ATAIC, after obtaining required permission from competent authorities shall be entitled to open current accounts at banks inside Sudan in any local or foreign currency and dispose of them in accordance with the ATAIC Statute and regulation of Procedures, in addition to laws and rules prevailing in the Country of Headquarters.

Article 8
Facilities and Assistance

The Country of Headquarters shall wherever possible provide all necessary facilities and assistance to ATAIC required to carry out its functions.

Article 9
ATAIC Headquarters

The Country of Headquarters shall grant a piece of land in a suitable location.

Article 10
Safety and Security of the Headquarters

The provisions of this agreement shall not prejudice the powers of the state in taking measures it deems appropriate for protecting its security and its safety and the safety of public order in its territories.

Article 11
Settlement of Disputes

The disputes that may arise between the host state and the ATAIC shall be settled amicably through negotiations.

Article 12
Amendment of the Terms of The Agreement


The terms of this agreement may amended by agreement between the country of the headquarters and the ATAIC in accordance with the written notice between the two parties.

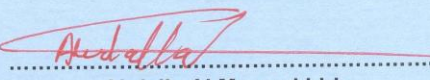
Article 13
Validity of the Agreement

This agreement shall come in to force as of the date of notification of approval of the agreement by the government of the state of Sudan and shall remain in force for a period of five years to be spontaneously renewed for a similar period unless one of the two parties notify the other on their desire to terminate the agreement six months beforehand at least via the diplomatic channels.

This agreement is drafted in three original copies in English Arabic and French languages each of them has the same legal force provided the Arabic version prevails in the event of contradiction or difference

This Agreement was signed in Khartoum on Tuesday, 26 Shawwal 1436 AH, corresponding to August 11, 2015 m


Abd Elghanie Al Naiem Awad Elkareem
Undersecretary of the Ministry of Foreign Affairs
For the Republic of Sudan


Abdalla Al Masaad Idris
The Secretary General
For Association of Tax of Islamic Countries

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