



Treaty Series No.45 (2004)

Agreement

between the Government of the United Kingdom of Great Britain
and Northern Ireland and the Great Socialist People's Libyan
Arab Jamahariya

on the Establishment and Activities of Cultural Centres

Tripoli, 18 December 2003

[The Agreement entered into force on 18 December 2003]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
November 2004*

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**AGREEMENT
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GREAT
SOCIALIST PEOPLE’S LIBYAN ARAB JAMAHARIYA ON THE
ESTABLISHMENT AND ACTIVITIES OF CULTURAL CENTRES**

The Government of the United Kingdom of Great Britain and Northern Ireland and the Great Socialist People’s Libyan Arab Jamahariya (hereinafter referred to as “the Parties”);

Recognising the mutual interest of the peoples of each country in becoming better acquainted with the human values and culture of the other;

Have agreed as follows:

ARTICLE 1

- (1) Each Party may establish on the territory of the other Party cultural and information centres (hereinafter referred to as “Cultural Centres”).
- (2) Cultural Centres may be established in the capitals of both countries and, with the agreement of the receiving Party, in other locations within that country.
- (3) Each Party shall respond to the other’s request to establish new Cultural Centres within three months of receiving such request in writing.

ARTICLE 2

- (1) The Cultural Centres shall assist in implementing relevant programmes of co-operation.
- (2) The activities of the Cultural Centres shall have the objective of fostering the development of relations between the Parties through the exchange and dissemination directly to the public of information and knowledge, particularly in the fields of language, literature, culture and the arts, creative industries, education, science and technology, the media and communications, the exchange of ideas and experience in legal, social and economic development and the provision of information related to all these fields.
- (3) Each party shall inform the other as to the nature of the intended cultural programmes as much as possible in advance.

ARTICLE 3

(1) The work of the British Cultural Centres in the Great Socialist People's Libyan Arab Jamahiriya shall be conducted by the British Council as the designated principal agent of Her Majesty's Government for cultural and educational activity in the Great Socialist People's Libyan Arab Jamahiriya. The work of the Cultural Centres of the Great Socialist People's Libyan Arab Jamahiriya in the United Kingdom of Great Britain and Northern Ireland shall be conducted by the Centre for Green Book Studies and Research.

(2) The British Cultural Centres shall be designated "British Council" and the Cultural Centres of the Great Socialist People's Libyan Arab Jamahiriya shall be designated The Libyan Arab Cultural Centre. These titles may be used on notice-boards, in correspondence, and on information and publicity material.

(3) Each Party shall, subject to the laws and regulations in force in its territory, take all appropriate measures to ensure the normal functioning of the Cultural Centres of the other Party.

ARTICLE 4

(1) The Parties shall guarantee free and unhindered public access to the Cultural Centres' premises and to their activities where these are carried out elsewhere. They shall ensure that the Cultural Centres are able to publicise their activities by any available means.

(2) The Cultural Centres shall also offer relevant public information in support of their functions through their own web-sites or other electronic media, to which the Parties shall guarantee free and unhindered public access.

(3) The Cultural Centres may enter into and maintain direct contacts with the relevant ministries, secretariats and other public bodies, local authorities, non-governmental organisations, professional associations, and private organisations, individuals and groups.

ARTICLE 5

(1) The activities of the Cultural Centres, on their own premises and elsewhere, may include:

- (a) disseminating information as provided for under Article 2 of this Agreement.
- (b) organising visits, conferences, colloquia and other events in, and receiving visitors for, all the fields of activity referred to in, or relating to this Agreement;

- (c) administering scholarships, training and consultancy programmes in these and related fields;
- (d) staging artistic performances, concerts and exhibitions;
- (e) showing films and audio-visual material;
- (f) providing libraries, reading rooms and multi-media resource centres; and loaning books, newspapers, journals, audio-visual and other materials of a cultural, educational, scientific or technological nature;
- (g) offering language courses, examinations and seminars; providing professional expertise and teaching materials to institutions and individuals, and co-operating to produce materials relating to teaching and teaching methods;
- (h) managing and participating in the implementation of bilateral and multilateral projects in accordance with the aims of this Agreement;
- (i) arranging meetings and other activities for people of all ages.

(2) The Cultural Centres may also organise or participate in other events and activities in accordance with the aims of this Agreement..

ARTICLE 6

- (1) The Cultural Centres shall undertake their activities in accordance with the laws and regulations of the receiving state.
- (2) The Cultural Centres may enjoy legal personality and capacity under the laws and regulations of the receiving state.

ARTICLE 7

- (1) The Cultural Centres may organise events and activities outside their own premises.
- (2) The Cultural Centres may organise events and activities in partnership with other organisations.

ARTICLE 8

- (1) The Cultural Centres shall be not-for-profit organisations. The British Council is registered as a charity in England and Wales.

(2) The Centres may charge for all or any of the activities listed in Article 5 of this Agreement in order to cover some or all of the costs of their upkeep and operations. The Cultural Centres may:

- (a) charge visitors and participants to their events, activities or exhibitions;¹
 - (c) charge for language and other courses, examinations, or other related services;
 - (d) charge for the use of libraries and the loan or sale of multi-media or other materials relevant to their activities;
 - (e) sell catalogues, posters, programmes, books, records and teaching aids directly linked to the events and activities they organise;
 - (f) run cafeterias for visitors to the Centres;
- (3) Exhibits from exhibitions organised by the cultural centres on their premises or at any other location may be offered for sale subject to the payment of any taxes or customs duties as may be payable under the laws and regulations of the receiving state.
- (4) The Cultural Centres may seek and receive commercial sponsorship to support activity in accordance with the aims of this Agreement.

ARTICLE 9

(1) Each Party shall, subject to the laws and regulations in force in its territory, afford the other Party every facility for the importation of material required to set up and equip the Cultural Centres, and to carry out their activities under the provisions of this Agreement.

(2) Subject to the laws and regulations in force in the receiving State, the Parties shall exempt the Cultural Centres from the payment of customs duties and other import duties and taxes, except excise taxes and VAT, imposed on the import or export of items to satisfy the temporary or permanent needs of the Centres and not intended for sale in the receiving state.

ARTICLE 10

(1) Each Party shall appoint the staff of its own Cultural Centres. In the case of staff who are nationals of or permanently resident in the receiving State, employment shall be in accordance with the laws and regulations in force in the receiving State.

¹ There is no sub-paragraph (b)

(2) Each Party shall have the right to designate the Director of the Cultural Centre of the receiving state as a member of its diplomatic mission, if he/she is a national of the sending State.

(3) Each Party shall inform the other when the Director of the Cultural Centre takes up their post or terminate their duties.

ARTICLE 11

(1) Members of the staff of the Cultural Centres who are neither nationals of nor permanently resident in the receiving State, and members of their families forming part of the household as recognised by the relevant authorities, living with them and who are neither nationals of nor permanently resident in the receiving State, shall not be subject to the employment legislation or participate in the social security arrangements of the receiving State.

ARTICLE 12

(1) Subject to the laws and regulations in force in the receiving State, each Party shall facilitate prompt consideration of applications for entry clearance, and applications for residence and work permits where applicable, for members of staff of the Cultural Centres of the other Party and for members of their families forming part of the household as recognised by the relevant authorities, living with them and who are neither nationals of nor permanently resident in the receiving State.

(2) Subject to the laws and regulations in force in the receiving State, the Parties shall facilitate prompt consideration of applications for entry clearance for participants in programmes or events provided for in Article 5 of this Agreement.

(3) Subject to the laws and regulations in force of the receiving State, the Parties shall exempt members of staff of the Cultural Centres who are neither nationals of nor permanently resident in the receiving State, and members of their families, forming part of the household as recognised by the relevant authorities, living with them and who are neither nationals of nor permanently resident in the receiving State, from the payment of customs duties, import duties and all other taxes imposed on the import or export of household items or their personal effects, including one vehicle per family for their personal needs and not intended for sale in the receiving State.

ARTICLE 13

(1) Questions concerning the implementation, interpretation and application of this Agreement shall, where necessary, be resolved through the diplomatic channel except where otherwise provided for in this Agreement.

ARTICLE 14

(1) This Agreement shall enter into force on signature.

(2) This Agreement shall remain in force for a period of five years. Unless, twelve months before the expiry of the said period of five years, either Party shall have given notice to the other of its intention to terminate this Agreement, this Agreement shall remain in force thereafter until the expiry of twelve months from the date on which either Party shall have given written notice to the other through the diplomatic channel.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

Done in duplicate at the offices of the General People's Committee for Foreign Liaison and International Cooperation, Tripoli, this Thursday the 18th day of December 2003 in the English and Arabic languages, both texts being equally authoritative.

For the Government of the
United Kingdom of Great Britain
and Northern Ireland

For the Great Socialist People's
Libyan Arab Jamahiriya

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