Miscellaneous No.1 (2026)

2022 Headquarters Agreement

between the Government of the United Kingdom of Great Britain and Northern Ireland and the International Oil Pollution Compensation Fund 1992

London, 23 March 2022

[The Agreement is not in force]

Presented to Parliament
by the Secretary of State for Foreign, Commonwealth and Development Affairs
by Command of His Majesty
March 2026

CP 1536

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ISBN 978-1-5286-6303-8
E03562779 03/26

Printed on paper containing 40% recycled fibre content minimum

Printed in the UK by HH Global on behalf of the Controller of His Majesty's Stationery Office

2022 HEADQUARTERS AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE INTERNATIONAL OIL POLLUTION COMPENSATION FUND 1992

The Government of the United Kingdom of Great Britain and Northern Ireland and the International Oil Pollution Compensation Fund 1992;

Desiring to define the status, privileges and immunities of the 1992 Fund and persons connected with it;

Have agreed as follows:

ARTICLE 1

Definitions

In this Agreement:

(a) "the 1961 Convention Articles" means the Articles of the Vienna Convention on Diplomatic Relations signed in 1961;

(b) "1992 Fund" means the International Oil Pollution Compensation Fund 1992;

(c) "Assembly" means the Assembly of the 1992 Fund, established pursuant to Article 16 of the Convention;

(d) "Convention" means the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (being the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 as amended by the Protocol of 1992 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971);

(e) "Director" means the Director of the 1992 Fund and, during their absence from duty, a Deputy Director and, in the absence of the Director and any Deputy Director, any other Staff Member specifically designated by the Director to act on their behalf;

(f) "Emoluments" means all sums in respect of employment by the 1992 Fund paid to, vested in or accruing to the benefit of Staff Members or Officials other than Staff Members in any form whatsoever;

(g) "Experts other than Staff Members" means all persons not being Staff Members or Officials other than Staff Members, who carry out tasks in the interest and upon instruction of the 1992 Fund;

(h) "Government" means the Government of the United Kingdom of Great Britain and Northern Ireland;

(i) "High Officials" means the Director and up to two persons holding the title of Deputy Director of the 1992 Fund, notified to the Government by the 1992 Fund;

(j) "Law of the United Kingdom" includes Acts of Parliament, Orders in Council and all subordinate legislation;

(k) "Meetings convened by the 1992 Fund" means sessions of the Assembly, Administrative Council, Executive Committee and of bodies subordinate to those, as well as conferences or other gatherings convened by the 1992 Fund;

(l) "Member" means a Member State of the 1992 Fund;

(m) "Members of Delegations" means representatives, alternates, advisers, technical experts and secretaries of delegations, participating in meetings convened by the 1992 Fund;

(n) "Official Activities of the 1992 Fund" means all activities undertaken pursuant to the Convention, including its administrative activities and all related activities necessary to perform its official functions;

(o) "Officials other than Staff Members" means all persons elected or appointed by the Assembly to occupy a position or carry out tasks in the interest of the 1992 Fund, including, but not limited to, members of the Audit Body and of the Investment Advisory Body, established pursuant to the Financial Regulation of the 1992 Fund;

(p) "Official Use" means all use in the context of the Official Activities of the 1992 Fund;

(q) "Premises of the 1992 Fund" means the buildings or parts of buildings and the land ancillary thereto normally occupied by the 1992 Fund for the fulfilment of its official functions;

(r) "Representatives of Members" means heads of delegations of Members, participating in meetings convened by the 1992 Fund;

(s) "Staff Members" means the Director and all persons appointed or recruited for employment with the 1992 Fund and subject to its Staff Regulations, with the exception of those recruited locally and assigned to hourly or daily rates; and

(t) "United Kingdom national" means British citizens, British overseas territories citizens, British Overseas citizens and British Nationals (Overseas).

ARTICLE 2

Interpretation

1. This Agreement shall be interpreted in the light of its primary objective of enabling the 1992 Fund at its Headquarters in the United Kingdom fully and efficiently to discharge its responsibilities and fulfil its purposes and functions.

2. To the extent that they deal with the same subject matter, this Agreement and any treaty conferring immunities and privileges upon the 1992 Fund shall be complementary.

ARTICLE 3

Legal personality

The 1992 Fund shall have legal personality. It shall in particular have the capacity to contract, to acquire and dispose of movable and immovable property and to be a party in legal proceedings.

ARTICLE 4

Premises

1. The premises of the 1992 Fund shall be inviolable.

2. The location of the premises and the archives of the 1992 Fund shall be made known to the appropriate authorities by the Director who shall also inform the appropriate authorities of any change in the location or extent of such premises or archives and of any temporary occupation of such premises for the fulfilment of its official functions. Where premises are temporarily used or occupied by the 1992 Fund for the fulfilment of its official functions, these premises shall, with the agreement of the appropriate authorities, be accorded the status of premises of the 1992 Fund.

3. The Government undertakes to assist the 1992 Fund in the acquisition of premises of the 1992 Fund by gift, purchase or lease or the hire of premises at such time as they may be needed.

4. All archives, correspondence, documents, manuscripts, photographs, films, recordings and other data stored electronically or otherwise, belonging to or held by the 1992 Fund and all information contained therein shall be inviolable.

5. The Government shall make reasonable efforts to ensure that the premises of the 1992 Fund shall be supplied with necessary public services including electricity, water, sewerage, gas, post, telephone, access to the internet, drainage, collection of refuse and fire protection and that such public services be supplied on reasonable terms. In case of any interruption or threatened interruption to any such services, the Government shall consider the needs of the 1992 Fund as being of equal importance with those of diplomatic missions and shall accordingly take all reasonable steps to ensure that the 1992 Fund is not prejudiced.

6. Any preferential rates or tariffs which may be granted to diplomatic missions in the United Kingdom for supplies of services mentioned in paragraph 5 of this Article shall, subject to paragraph 2 of Article 9 of this Agreement, also be accorded to the 1992 Fund.

ARTICLE 5

Flag and emblem

The 1992 Fund shall be entitled to display its flag and emblem on its premises and on the means of transport of the 1992 Fund and of the Director.

ARTICLE 6

Protection of premises

The Government is under a special duty to take all appropriate steps to protect the premises of the 1992 Fund against any intrusion or damage and to prevent any disturbance of the peace of the 1992 Fund or impairment of its dignity.

ARTICLE 7

Access to and control over premises

1. The premises of the 1992 Fund shall be under the control and authority of the 1992 Fund which may establish any regulations necessary for the execution of its functions therein.

2. The appropriate authorities shall impose no impediment to the transit to and from the premises of the 1992 Fund of persons having official business at those premises, except where the Director consents otherwise.

3. Except in cases of fire and flooding, no official of the Government or person exercising any public authority, whether administrative, judicial, military or police, shall enter the premises of the 1992 Fund except with the express consent of and under conditions approved by the Director. No service, enforcement or execution pursuant to any legal process whatsoever, irrespective of whether the 1992 Fund has participated or is named as defendant, or any ancillary act such as the seizure of private property, shall take place within the premises of the 1992 Fund except with the express consent of and subject to any conditions approved by the Director.

4. Without prejudice to the terms of this Agreement, the 1992 Fund shall not permit the premises of the 1992 Fund to become a refuge from justice for persons who are avoiding arrest or service of legal process under the law of the United Kingdom or against whom an order of extradition or deportation has been issued by the appropriate authorities.

5. Nothing in this Agreement shall prevent the reasonable application by the appropriate authorities of measures for the protection of the premises of the 1992 Fund against fire and flooding.

ARTICLE 8

Control of entry into the United Kingdom

1. The Government undertakes to authorise the entry into the United Kingdom without delay and without charge for visas of the following persons for the term of their business with the 1992 Fund:

(a) Representatives of Members;

(b) Members of Delegations;

(c) officials designated by Members to represent them;

(d) Staff Members;

(e) officials of the United Nations and its organs, the specialized agencies and the International Atomic Energy Agency;

(f) Officials other than Staff Members and Experts other than Staff Members; and

(g) members of the families of the above-mentioned persons forming part of their respective households.

2. The provisions of the preceding paragraph shall be applicable irrespective of the relations existing between the Governments of the persons referred to and the Government of the United Kingdom and are without prejudice to any special

immunities to which such persons may be entitled. They shall not prevent the requirement of reasonable evidence to establish that persons claiming the aforementioned rights come within the classes described, nor the reasonable application of international quarantine and public health regulations.

3. The Director shall as far as possible inform the Government in advance of their arrival in the United Kingdom of the names of persons within the categories set out in paragraph 1 of this Article to assist the Government to implement the provisions of this Article and of Article 20.

ARTICLE 9

Communications and Publications

1. The Government shall permit and protect unrestricted communication on the part of the 1992 Fund for all official purposes. The 1992 Fund may employ all appropriate means of communication, including messages in code or cipher. However, the 1992 Fund may install and use a wireless transmitter only with the consent of the appropriate authorities.

2. The 1992 Fund shall enjoy, for its official communications, treatment not less favourable than that accorded by the Government to any other Government, including the latter's diplomatic mission, in the matter of priorities, rates and taxes on mails, electronic mails, cables, telegrams, radiograms, telephotos, telephone and other communications, and press rates for information to the press and radio to the extent that such treatment is compatible with any other international conventions, regulations and arrangements to which the Government is a party.

3. No censorship shall be applied to official communications of the 1992 Fund by whatever means of communication.

4. The circulation of publications and other information material sent by or to the 1992 Fund within the scope of its Official Activities shall not be restricted in any way.

ARTICLE 10

Exemptions from taxes and duties for the 1992 Fund

1. The 1992 Fund benefits from an exemption or relief from:

(a) all direct and indirect taxes including:

(i) income tax;

(ii) capital gain tax;

(iii) corporation tax, motor vehicle tax and value added tax, other than duties (whether of customs or excise) and taxes on the importation of goods;

(iv) motor vehicle tax paid on any vehicles of United Kingdom manufacture;

(v) value added tax paid on the supply of any goods or services which are used for the official purposes of the 1992 Fund with such refund being subject to compliance with such conditions as may be imposed according to arrangements made by the United Kingdom; and

(vi) Insurance Premium Tax, Air Passenger Duty and the Climate Change Levy, paid by the 1992 Fund in the exercise of its Official Activities;

(b) municipal rates in accordance with Article 23 of the 1961 Convention Articles, to the extent accorded to a diplomatic mission;

(c) duties (whether of customs or excise) and taxes on the importation of goods by or on behalf of the 1992 Fund for its Official Use in the United Kingdom with such exemptions being subject to compliance with such conditions as the Commissioners of Customs and Excise may prescribe for the protection of the Revenue;

(d) prohibitions and restrictions on importation or exportation in the case of goods imported or exported by the organisation for its Official Use, except where the prohibition or restrictions arise from binding European Union law;

(e) duty (whether of customs or excise) paid on imported hydrocarbon oil or value added tax paid on the importation of such oil which is bought in the United Kingdom and used for the official purposes of the 1992 Fund, with such refund being subject to compliance with such conditions as may be imposed according to arrangements made by the United Kingdom; and

(f) excise duty on spirits purchased from an excise warehouse in the United Kingdom for the purpose of official entertainment.

2. The exemptions provided in relation to value added tax on the supply of goods and services shall be accorded by way of a refund of the tax element in the price paid by the 1992 Fund for purchases for its Official Use. In this connection, the purchases or services envisaged are those made on a recurring basis or involving considerable quantities of goods, commodities or materials, or those involving considerable expenditure such as the furnishing of the premises of the 1992 Fund.

3. Municipal rates shall in the first instance be paid by the appropriate authorities and the proportion which represents payment for specific services rendered shall be recovered by them from the 1992 Fund.

4. The exemption from excise duty on spirits purchased from an excise warehouse in the United Kingdom for the purpose of official entertainment shall be accorded by way of a refund of the duty element included in the price of the spirits. A certificate by the Director that any purchase is for the purpose of official entertainment shall be accepted as conclusive.

5. In the event of the introduction of taxes other than those referred to in this Article, the 1992 Fund and the Government shall determine the applicability of this Agreement to such taxes.

6. Goods with a substantial value, which have been acquired or imported under this Article shall not be given away, sold, hired out or otherwise disposed of unless the appropriate authorities have been notified in advance and any necessary duties and taxes paid.

ARTICLE 11

Exemptions from taxes and duties for High Officials

1. The High Officials shall:

   (a) be exempt from tax on income arising outside the United Kingdom;

   (b) be exempt from capital gains tax other than that imposed on immovable property (not occupied by them as a principal residence) in the United Kingdom or investments in commercial undertakings in the United Kingdom;

   (c) be exempt or have relief from being liable to pay anything in respect of Council Tax, as in the case of diplomatic agents at diplomatic missions;

   (d) be exempt, under arrangements made by the United Kingdom, from motor vehicle tax and value added tax in respect of the purchase of new motor vehicles of United Kingdom manufacture;

   (e) be exempt from customs duties in respect of hydrocarbon oils; and

   (f) be exempt from all customs duties, motor vehicle tax, value added tax and similar charges and levies (excepting charges for storage, cartage and similar services) imposed upon or by reason of the importation of articles (including motor vehicles) for their personal use or the use of members of their families forming part of their households or for their establishment.

2. Any official archives of the 1992 Fund held at the Residence of the Deputy Director(s) shall be inviolable at all times provided that they are kept separate from other papers and documents and, in particular, from the private correspondence of the Deputy Director(s).

3. In addition to the provisions set out in paragraph 1 of this Article, the Director shall also enjoy the following privileges and immunities as are accorded to or in respect of the head of a diplomatic mission:

(a) immunity from suit and legal process;

(b) inviolability of residence; and

(c) be exempt from value added tax on the supply of fine quality goods of United Kingdom manufacture purchased on a substantial scale for the furnishing of their principal residence.

4. The exemption provided for in paragraph 1(a) and (b) of this Article shall be accorded to the extent and by procedures applicable to the head of a diplomatic mission.

5. The privileges and immunities set out in paragraph 1(f) of this Article shall also apply to members of the Director's family forming part of the household of the Director. The privileges and immunities set out in this Article shall not apply to members of the family forming part of the household of High Officials other than the Director.

6. The privileges and immunities described in this Article shall not be accorded to United Kingdom nationals nor those permanently resident in the United Kingdom.

ARTICLE 12

Exemptions from social security schemes

1. When the 1992 Fund has established its own social security schemes or has joined that of another international organisation under conditions laid down in the Staff Regulations of the 1992 Fund, Staff Members who are not United Kingdom nationals nor permanently resident in the United Kingdom, shall with respect to services rendered for the 1992 Fund be exempt from the provisions of any social security scheme established by the law of the United Kingdom.

2. The exemptions provided for in this Article shall not preclude voluntary participation in any social security scheme in the United Kingdom, provided that such participation is permitted by the law.

ARTICLE 13

Exemptions in respect of importation of articles for personal use

1. Staff Members and members of their families forming part of their respective households (other than United Kingdom nationals or permanent residents of the United Kingdom) shall be exempt from all customs duties, motor vehicle tax, value added tax and similar charges or levies (excepting charges for storage, cartage and similar services) imposed upon or by reason of the importation of articles (including one motor vehicle each) in their ownership or possession or already ordered by them and intended for their personal use or for their establishment at the time of first taking up their post in the United Kingdom. Such articles shall normally be imported within a reasonable period of first entry of such persons into the United Kingdom.

2. Staff Members (other than United Kingdom nationals or permanent residents of the United Kingdom) who are entitled to import a motor vehicle under this concession but do not do so shall be given relief from motor vehicle tax and value added tax in respect of the purchase of a new motor vehicle of United Kingdom manufacture (to the extent that such relief is given to members of the administrative and technical staff of diplomatic missions) provided the motor vehicle is ordered within a reasonable period of first entry of the Staff Member. Relief from motor vehicle tax, value added tax and customs duties on the purchase or import of a replacement motor vehicle will be allowed in cases where the appropriate authorities are satisfied that this is justified by the condition of the motor vehicle being replaced.

ARTICLE 14

Privileges and Immunities of Representatives of Member States

1. Representatives shall enjoy, while exercising their functions and in the course of their journeys to and from the place of meeting, the following privileges and immunities:

(a) immunity from arrest and detention, except when found committing, attempting to commit, or just having committed an offence;

(b) immunity from jurisdiction (even after the termination of their mission) in respect of acts, including words written or spoken, done by them in the exercise of their functions; this immunity shall not however apply in the case of a motor traffic offence committed by a representative nor in the case of damage caused by a motor vehicle belonging to or driven by them;

(c) the like exemption and privileges in respect of personal baggage as is accorded by paragraph 2 of Article 36 of the 1961 Convention Articles to a diplomatic agent; and

(d) exemption for themselves and their spouses from all measures restricting entry, from charges for visas and from registration formalities for the purpose of immigration control.

2. The provisions of the preceding paragraph shall be applicable irrespective of the relations existing between the Governments which the persons referred to represent and the Government of the United Kingdom and are without prejudice to any special immunities to which such persons may be entitled.

3. The privileges and immunities described in paragraph 1 of this Article shall not be accorded to any representative of the Government or to any national of the United Kingdom or those permanently resident.

4. Privileges and immunities are accorded to representatives in order to ensure complete independence in the exercise of their functions in connection with the 1992 Fund. It is expected that a Member will waive the immunity of its representative where the immunity would impede the course of justice and where it can be waived without prejudicing the purposes for which it was accorded.

5. In order to assist the Government to implement the provisions of this Article, the 1992 Fund shall as far as possible inform the Government of the names of representatives in advance of their arrival in the United Kingdom.

ARTICLE 15

Staff Members and Officials other than Staff Members

1. Staff Members and Officials other than Staff Members of the 1992 Fund shall:

(a) have (even after they have left the service of the 1992 Fund) immunity from suit and legal process in respect of acts done by them in the exercise of their functions, including words written or spoken; this immunity shall not however apply in the case of a motor traffic offence committed by a Staff Member or an Official other than Staff Member, nor in the case of damage caused by a motor vehicle belonging to or driven by them;

(b) together with members of their families forming part of their households, be exempt from any obligations in respect of military service, provided that this exemption shall not apply to any person who is a United Kingdom national or those permanently resident;

(c) enjoy exemption from all measures restricting immigration, from charges for visas and from registration formalities for the purpose of immigration control; and members of their families forming part of their households shall enjoy the same facilities; and

(d) have inviolability of all their official papers, documents and archives related to their Official Activities, as defined in Article 1 of this Agreement, in respect of the 1992 Fund.

2. All Staff Members shall be exempt from income tax on their Emoluments; in the event that the 1992 Fund operates a system for the payment of pensions and annuities to its former staff members, the provisions of this Article shall not apply to such pensions and annuities.

3. Provided that they are not United Kingdom nationals nor permanently resident in the United Kingdom, Staff Members shall be exempt from the taxes listed in Article 11, paragraph 1 (d), provided the motor vehicle is ordered within a reasonable period of first entry of the Staff Member.

ARTICLE 16

Experts other than Staff Members

In the exercise of their functions in connection with the 1992 Fund or in carrying out missions for the 1992 Fund, Experts other than Staff Members shall enjoy the following immunities to the extent necessary for the carrying out of their functions, including during journeys made in carrying out their functions and in the course of such missions:

(a) even after they have ceased to be employed by the 1992 Fund, immunity from jurisdiction in respect of acts done by them in the exercise of their functions, including words written or spoken, except in the case of a motor traffic offence committed by an expert or in the case of damage caused by a motor vehicle belonging to or driven by the expert; and

(b) inviolability of all their official papers, documents and archives related to their Official Activities, as defined in Article 1 of this Agreement, in respect of the 1992 Fund.

ARTICLE 17

Immunity

1. The 1992 Fund shall have immunity from suit and legal process except:

(a) to the extent that the 1992 Fund waives such immunity from jurisdiction or immunity from execution in a particular case;

(b) in respect of actions brought against the 1992 Fund in accordance with the provisions of the Convention;

(c) in respect of any contract for the supply of goods or services, and any loan or other transaction for the provision of finance and any guarantee or indemnity in respect of any such transaction or of any other financial obligation;

(d) in respect of a civil action by a third party for damage arising from an accident caused by a motor vehicle belonging to, or operated on behalf of, the 1992 Fund or in respect of a motor traffic offence involving such a vehicle;

(e) in respect of a civil action relating to death or personal injury caused by its act or omission in the United Kingdom;

(f) in the event of the attachment, pursuant to the final order of a court of law, of the Emoluments owed by the 1992 Fund to a Staff Member of the 1992 Fund;

(g) in respect of the enforcement of an arbitration award made under Article 22 of this Agreement; and

(h) in respect of a counter-claim directly connected with proceedings initiated by the 1992 Fund.

2. Nothing provided in paragraph 1 of this Article shall affect the immunity of the 1992 Fund's property and assets from any form of provisional judicial or other legal constraint, including a freezing order, requisition, confiscation, expropriation or attachment, except:

(a) in any case where the 1992 Fund waives such immunity; or

(b) in so far as it may be temporarily necessary to seize or impound a motor vehicle owned by, or operated on behalf of, the 1992 Fund in connection with the prevention of, and investigation into, accidents involving such a motor vehicle.

ARTICLE 18

Purpose of privileges and immunities

1. The privileges and immunities accorded in this Agreement to Staff Members, Officials other than Staff Members and Experts other than Staff Members are provided solely to ensure in all circumstances the unimpeded functioning of the 1992 Fund and the complete independence of the persons to whom they are accorded.

2. The Director has the right and the duty to waive such immunities (other than their own and those of members of their family forming part of their household) when they consider that such immunities are preventing the carrying out of justice

and when it is possible to dispense with them without prejudicing the interests of the 1992 Fund. In respect of the Director and members of their family forming part of their household, the Assembly may waive such immunities.

ARTICLE 19

Abuse of privileges and immunities

The 1992 Fund shall co-operate at all times with the appropriate authorities in order to prevent any abuse of the privileges and immunities and facilities provided for in this Agreement. The right of the Government to take all precautionary measures in the interests of its security shall not be prejudiced by any provision in this Agreement.

ARTICLE 20

Information on Staff Members

1. The Director shall from time to time send to the Government a list of all Staff Members, indicating in each case the appropriate staff category as defined in Article 1 of this Agreement and whether the individual is a United Kingdom national or permanently resident in the United Kingdom. The Director may inform the Government of the appointment of Staff Members individually for addition to the list.

2. The Government shall issue to all Staff Members on notification of their appointment, a card bearing the photograph of the holder and identifying them as a Staff Member. This card shall be accepted by the appropriate authorities as evidence of identity and appointment.

ARTICLE 21

Consultations regarding implementation and modification

At the request either of the 1992 Fund or of the Government, consultations shall take place respecting the implementation, modification or extension of this Agreement. Any understanding, modification or extension may be given effect by an Exchange of Notes between the Director and a duly authorized representative of the Government.

ARTICLE 22

Disputes

Any dispute between the 1992 Fund and the Government concerning the interpretation or application of this Agreement or any question affecting the relations between the 1992 Fund and the Government which is not settled by negotiation or by some other agreed method shall be referred for final decision to a panel of three arbitrators. One of those arbitrators shall be chosen by the Director, one shall be chosen by Her Majesty's Secretary of State and the third, who shall be the Chairman of the Tribunal, shall be chosen by the first two arbitrators. Should the first two arbitrators fail to agree upon the third within one year of their own appointment, the third arbitrator, at the request of the 1992 Fund or of the Government, shall be chosen by the President of the International Court of Justice.

ARTICLE 23

Entry into force

1. This Agreement shall enter into force on the date of the notification by the Government to the 1992 Fund that all procedures necessary for its entry into force have been completed and it shall replace as of that date the Headquarters Agreement between the International Oil Pollution Compensation Fund 1992 and the Government of the United Kingdom of Great Britain and Northern Ireland, signed on 30 May 1996.

2. This Agreement may be terminated by agreement between the 1992 Fund and the Government. In the event of the Headquarters of the 1992 Fund being moved from the territory of the United Kingdom, this Agreement shall, after the period reasonably required for such transfer and for the disposal of the property of the 1992 Fund in the United Kingdom, cease to be in force.

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

Done in duplicate at London on this 23rd day of March 2022.

For the Government of the United Kingdom of Great Britain and Northern Ireland:	**For the International Oil Pollution Compensation Fund 1992:**
ROBERT COURTS	**GAUTE SIVERTSEN**

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978-1-5286-6303-8