

2004 No. 3330

EUROPEAN COMMUNITIES

**The European Communities
(Immunities and Privileges of the European Police Office)
(Amendment) Order 2004**

Made - - - - *16th December 2004*

Coming into force in accordance with Article 1

At the Court at Buckingham Palace, the 16th day of December 2004

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been laid before Parliament in accordance with section 2 of the European Communities Act 1972(a) ("the Act") and has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, by virtue and in exercise of the powers conferred on Her by section 2(2) of the Act or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the European Communities (Immunities and Privileges of the European Police Office) (Amendment) Order 2004. It shall come into force on the date on which the Protocol amending the Convention on the establishment of a European Police Office (Europol Convention) and the Protocol on the Privileges and Immunities of Europol, the members of its organs, the deputy directors and the employees of Europol signed at Brussels on 28th November 2002(b) enters into force in respect of the United Kingdom. That date shall be notified in the London, Edinburgh and Belfast Gazettes.

2. The European Communities (Immunities and Privileges of the European Police Office) Order 1997 is amended in Article 15 by substituting for the words "except in respect of civil liability in the case of damage arising from a road traffic accident caused by them" the following:

"except:

(1) in respect of civil liability in the case of damage arising from a road traffic accident caused by them; and

(a) 1972 c.68.
(b) Cm. 6337.

(2) in relation to official acts required to be undertaken in fulfilment of the tasks set out in Article 3a of the Convention regarding the participation of Europol officials in joint investigation teams.”.

A. K. Galloway
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the European Communities (Immunities and Privileges of the European Police Office) Order 1997 by providing that Europol officials participating in joint investigation teams shall not enjoy immunity from suit and legal process in relation to their official acts. This amendment is required to give effect to the Protocol amending the Convention on the establishment of a European Police Office (Europol Convention) and the Protocol on the privileges and immunities of Europol, the members of its organs, the deputy directors and the employees of Europol (Cm. 6337).

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