
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2021 No.

The European Union and European Atomic Energy
Community (Immunities and Privileges) (Scotland) Order 2021

PART 4

Waiver

22.—(1) The privileges and immunities provided for in this Order may be waived by the European Union upon request from the relevant United Kingdom authorities, whose request will be transmitted by the Foreign, Commonwealth and Development Office to the Delegation.

(2) A waiver under paragraph (1) must be express.

(3) The initiation of proceedings by any person enjoying immunity pursuant to this Order precludes them from invoking immunity from jurisdiction in respect of any counterclaim directly connected with the principal claim.

(4) Waiver of immunity from jurisdiction in respect of civil or administrative proceedings is not be held to imply waiver of immunity in respect of the execution of the judgement, for which a separate waiver is necessary.