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DRAFT STATUTORY INSTRUMENTS

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**2021 No.**

**The Bank for International Settlements  
(Immunities and Privileges) Order 2021**

**Immunity from jurisdiction and waiver**

**4.—**(1) Within the scope of its official activities, the Bank is immune from suit and legal process except—

- (a) to the extent that the Bank may expressly waive such immunity in a particular case;
- (b) in respect of a civil action arising out of a banking or financial transaction with a contractual counterparty of the Bank;
- (c) in respect of a civil action relating to death or personal injury caused by an act or omission in the United Kingdom;
- (d) in respect of the enforcement of an arbitration award made against the Bank as a result of an express submission to arbitration by or on behalf the Bank;
- (e) in respect of any counter-claim directly connected with court proceedings initiated by the Bank.

(2) Except in respect of a final judgment or arbitral award issued by a court or tribunal where paragraph (1)(b) or (d) applies, the property and assets of the Bank, wherever they may be located and by whomsoever they may be held, are immune from suit and legal process in respect of all forms of seizure, attachment, sequestration, execution, requisition, inhibition, confiscation, expropriation, freezing, taking or foreclosure by executive, judicial or legislative action.