
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends schedule 15 of the International Organisations (Immunities and Privileges) (Scotland) Order 2009 (“schedule 15”), which was added by the International Organisations (Immunities and Privileges) (Scotland) Amendment Order 2010 (“the 2010 Order”). It is being issued free of charge to all known recipients of the 2010 Order, as the amendments are made to ensure that schedule 15 properly implements the Protocol on the privileges and immunities of the European Organisation for Astronomical Research in the Southern Hemisphere (Cm 8516) which entered into force for the United Kingdom on 25 September 2012 (“the Protocol”).

Schedule 15 makes provision for privileges and immunities conferred by the Protocol on the officers of the European Organisation for Astronomical Research in the Southern Hemisphere (“the Organisation”).

Article 2(2) amends sub-paragraph (1) of paragraph 7 of schedule 15 to ensure that, if the Director-General or person appointed to act instead of the Director-General of the Organisation has British nationality, that person shall benefit from immunity from suit and legal process conferred by head (a) of that sub-paragraph only in respect of things done or omitted to be done by them in the course of performance of official duties (not including motor vehicle offences or damage), and shall not benefit from the immunities and privileges set out in the remainder of the sub-paragraph.

Article 2(3) revokes paragraph 8(2) of schedule 15 with the effect that the immunity from suit and legal process conferred by that paragraph in respect of things done or omitted to be done by any officer of the Organisation in the course of performance of official duties (other than an officer falling within paragraph 7 of schedule 15) applies regardless of whether the officer has British nationality.