

## 1994 No. 164

## CRIMINAL PROCEDURE

**The Criminal Justice (Confiscation) (Designated Countries and Territories) (1991 Order) (Amendment) (Northern Ireland) Order 1994**

*Made* . . . . . 22nd April 1994

*Coming into operation* . . . . . 17th June 1994

*To be laid before Parliament*

The Secretary of State, in pursuance of Article 27 of the Criminal Justice (Confiscation) (Northern Ireland) Order 1990(a), hereby makes the following Order:—

*Citation, commencement and interpretation*

1.—(1) This Order may be cited as the Criminal Justice (Confiscation) (Designated Countries and Territories) (1991 Order) (Amendment) (Northern Ireland) Order 1994 and shall come into operation on 17th June 1994.

(2) In this Order—

“the Order” means the Criminal Justice (Confiscation) (Northern Ireland) Order 1990 and “the principal Order” means the Criminal Justice (Confiscation) (Designated Countries and Territories) (Northern Ireland) Order 1991(b).

2. Schedule 1 to the Principal Order shall be amended as follows—

- (a) by the insertion, at the appropriate places in alphabetical order, of the entries for those countries and territories specified in the Schedule being countries and territories designated under section 26 of the Drug Trafficking Offences Act 1986(c);
- (b) by the removal of the entry specifying the appropriate authority for Switzerland; and
- (c) by the insertion opposite the entry for Switzerland, of the following entry—  
“Office fédéral de la police”.

(a) S.I. 1990/2588 (N.I. 17)

(b) S.R. 1991 No. 221, amended by S.R. 1992 No. 469 and S.R. 1993 No. 358

(c) 1986 c. 32

3. The Appendix set out at the end of Schedule 3 to the principal Order (which defines the institution of proceedings for the purposes of sub-paragraph (a) of Article 2(13) of the Order as modified by Schedule 2 to the principal Order) shall be amended by the insertion, after the entry relating to Montserrat, of the following—

- ‘Netherlands
- (a) when a pre-trial financial investigation has been initiated;
  - (b) when the provisional measure has been ordered by an investigating magistrate;
  - (c) when a public prosecutor has requested a pre-trial criminal investigation by an investigating magistrate to be instituted;
  - (d) when a public prosecutor has laid an indictment’.

Northern Ireland Office  
22nd April 1994

*P. B. B. Mayhew*  
One of Her Majesty's Principal  
Secretaries of State

## Designated Countries

<i>Designated Country</i>	<i>Appropriate Authority</i>
Armenia	
Azerbaijan	
Bosnia and Herzegovina	
Brunei	
Colombia	the Fiscalía General de la Nación
Croatia	
Dominica	
Dominican Republic	
El Salvador	
Macedonia	
Mauritania	
Netherlands	Afdeling Internationale Rechtshulp
Slovakia	
Zambia	
Zimbabwe	

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order further amends the Criminal Justice (Confiscation) (Designated Countries and Territories) (Northern Ireland) Order 1991 ("the principal Order") which provides that, subject to certain modifications, the Criminal Justice (Confiscation) (Northern Ireland) Order 1990 applies to an order made by a court in any of the countries or territories listed in Schedule 1 to the principal Order (being countries and territories designated under section 26 of the Drug Trafficking Offences Act 1986) for the purpose of recovering payments or other rewards received in connection with drug trafficking or their value, and to proceedings which have been or are to be instituted in a designated country or territory and may result in such an order being made there.

Article 2 of this Order amends the list of designated countries in the principal Order by the addition of Armenia, Azerbaijan, Bosnia and Herzegovina, Brunei, Colombia, Croatia, Dominica, Dominican Republic, El Salvador, Macedonia, Mauritania, Netherlands, Slovakia, Zambia and Zimbabwe. It also amends the entry specifying the appropriate authority for Switzerland. Article 3 makes consequential amendments to the principal Order.

By virtue of Article 1(1) this Order comes into operation on 17th June 1994.