

## SCHEDULES

### SCHEDULE 5

Section 91

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Internationally Protected Persons Act 1978 (c. 17)*

- 1 The Internationally Protected Persons Act 1978 is amended as follows.
- 2 In section 2 (supplementary provisions), in subsections (1) and (2), for “and the United Nations Personnel Act 1997” there is substituted “, the United Nations Personnel Act 1997 and the Terrorism Act 2000”.

##### *The Suppression of Terrorism Act 1978 (c. 26)*

- 3 The Suppression of Terrorism Act 1978 is amended as follows.
- 4 In section 4 (jurisdiction in respect of offences committed outside United Kingdom), in subsections (4) and (5), for “and the United Nations Personnel Act 1997” there is substituted “, the United Nations Personnel Act 1997 and the Terrorism Act 2000”.

##### *The Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1))*

- 5 The Road Traffic (Northern Ireland) Order 1981 is amended as follows.
- 6 In Article 4 (exceptions to offence under Article 3), in paragraph (3)(a), after “Road Traffic Orders” there is inserted “or Chapter 1 of Part 3 of the Crime (International Co-operation) Act 2003”.

##### *The Nuclear Material (Offences) Act 1983 (c. 18)*

- 7 The Nuclear Material (Offences) Act 1983 is amended as follows.
- 8 In section 3 (supplemental), in subsections (1) and (2), for “and the United Nations Personnel Act 1997” there is substituted “, the United Nations Personnel Act 1997 and the Terrorism Act 2000”.

##### *The Child Abduction Act 1984 (c. 37)*

- 9 The Child Abduction Act 1984 is amended as follows.
- 10 In section 11 (consequential amendments and repeals), in subsection (3), after “the Internationally Protected Persons Act 1978” there is inserted “and sections 63B(2) and 63C(2) of the Terrorism Act 2000”.

##### *The Criminal Justice Act 1987 (c. 38)*

- 11 The Criminal Justice Act 1987 is amended as follows.
- 12 In section 2 (investigation powers of Director of Serious Fraud Office)—

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- (a) in subsection (1A), for paragraph (b) there is substituted—
  - “(b) the Secretary of State acting under section 15(2) of the Crime (International Co-operation) Act 2003, in response to a request received by him from a person mentioned in section 13(2) of that Act (an “overseas authority”).”
- (b) in subsection (8A), for the words from “furnished” to the end there is substituted “given to the overseas authority which requested it or given to the Secretary of State for forwarding to that overseas authority”
- (c) subsection (8B) is omitted,
- (d) in subsection (8C), for “transmitted” (in both places) there is substituted “forwarded”
- (e) in subsection (18), “(8B)” is omitted.

*The Criminal Justice Act 1988 (c. 33)*

- 13 The Criminal Justice Act 1988 is amended as follows.
- 14 In section 24 (business etc. documents), in subsection (4), for “section 3 of the Criminal Justice (International Co-operation) Act 1990” there is substituted “section 7 of the Crime (International Co-operation) Act 2003”.
- 15 In section 26 (statements in documents that appear to have been prepared for the purposes of criminal proceedings or investigations), for “section 3 of the Criminal Justice (International Co-operation) Act 1990” there is substituted “section 7 of the Crime (International Co-operation) Act 2003”.
- 16 In paragraph 6 of Schedule 13 (evidence before courts-martial etc.)—
- (a) in sub-paragraph (1)—
    - (i) for “section 3 of the Criminal Justice (International Co-operation) Act 1990” there is substituted “section 7 of the Crime (International Co-operation) Act 2003”, and
    - (ii) for “letters of request or corresponding documents” there is substituted “requests for assistance in obtaining outside the United Kingdom evidence”, and
  - (b) in sub-paragraph (4), for “letters of request or corresponding documents” there is substituted “requests for assistance in obtaining evidence”.

*The Road Traffic Act 1988 (c. 52)*

- 17 The Road Traffic Act 1988 is amended as follows.
- 18 In section 88 (exceptions to offence under section 87)—
- (a) in subsection (1A)(b)(ii), for “section 4(1) of or paragraph 6(1) or 9(1)” there is substituted “section 4 of or paragraph 6 or 9”,
  - (b) in subsection (1B)(a), after “Road Traffic Acts” there is inserted “or Chapter 1 of Part 3 of the Crime (International Co-operation) Act 2003”.
- 19 In section 92 (requirements as to physical fitness of drivers), in subsection (7D), after “99D” there is inserted “or 109C”.
- 20 In section 94A (driving after refusal or revocation of licence), in subsection (1)—
- (a) in paragraph (a)(ii), for “section 93(1) or (2)” there is substituted “section 93”,

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- (b) in paragraph (a)(iii)—
    - (i) after “section 99C(1) or (2)” there is inserted “or 109B”,
    - (ii) after “Community licence” there is inserted “or Northern Ireland licence”,
  - (c) in paragraph (b)(ii), at the end there is inserted “or Northern Ireland licence”.
- 21 In section 97 (grant of licences), in subsection (1)(d), for “section 4(1) of or paragraph 6(1) or 9(1)” there is substituted “section 4 of or paragraph 6 or 9”.
- 22 In section 100 (appeals relating to licences), in subsection (1)—
  - (a) in paragraph (c), after “99(3)” there is inserted “or (3A)”,
  - (b) for “or 99C” there is substituted “, 99C or 109B”.
- 23 In section 105 (regulations)—
  - (a) in subsection (2)—
    - (i) in paragraph (a), after “this Act,” there is inserted “Northern Ireland licences,”,
    - (ii) in paragraph (b)(iii), after “this Act” there is inserted “, of Northern Ireland licences”,
    - (iii) in paragraph (ea), after “counterparts” (in the first place) there is inserted “of Northern Ireland licences or” and after “counterparts” (in the second place) there is inserted “of Northern Ireland licences or (as the case may be)”,
    - (iv) in paragraph (f), before “Community licences” there is inserted “Northern Ireland licences or”,
  - (b) in subsection (5), for “, 91A and” there is substituted “and 91ZA to”.
- 24 In section 107 (service of notices), for “99B or 99E” there is substituted “99B, 99E or 109A”.
- 25 In section 108 (interpretation), in subsection (1)—
  - (a) in the definition of “counterpart”, the “and” at the end of paragraph (a) is omitted and after that paragraph there is inserted—
    - “(aa) in relation to a Northern Ireland licence, has the meaning given by section 109A of this Act (except in the definition of “Northern Ireland counterpart” below), and”,
  - (b) in the definition of “Northern Ireland driving licence” and “Northern Ireland licence”, at the end there is inserted “and “Northern Ireland counterpart” means the document issued with the Northern Ireland licence as a counterpart under the law of Northern Ireland”.
- 26 In section 109 (provisions as to Northern Ireland drivers' licences)—
  - (a) in subsection (1), after “Great Britain,” there is inserted “in accordance with that licence,”,
  - (b) in subsection (2), paragraph (b) and the “and” preceding it are omitted,
  - (c) subsections (3) to (5) are omitted.
- 27 In section 164 (power of constables to require production of driving licence etc.)—
  - (a) in subsection (3)—
    - (i) in paragraph (a), before “the Secretary of State” there is inserted “a person is required to deliver his licence and its counterpart to

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- the Secretary of State under section 63 of the Crime (International Co-operation) Act 2003 or”,
- (ii) in paragraph (a)(iii), after “99C” there is inserted “, 109B”,
- (iii) in paragraph (b), after “99C” there is inserted “, 109B” and after “or 118” there is inserted “or section 63 of the Crime (International Co-operation) Act 2003”,
- (b) in subsection (11)—
  - (i) in the definition of “licence”, after “this Act” there is inserted “, a Northern Ireland licence”,
  - (ii) after ““counterpart”,” there is inserted ““Northern Ireland licence”,”.
- 28 In section 167 (power of arrest for constable in Scotland), before “Community licence” there is inserted “Northern Ireland licence or”.
- 29 In section 173 (forgery of documents, etc.)—
  - (a) in subsection (2)(aa), after “counterpart of a” there is inserted “Northern Ireland licence or”,
  - (b) in subsection (4), for “and “Community licence”” there is substituted “, “Community licence” and “Northern Ireland licence””.
- 30 In section 176 (power to seize certain articles)—
  - (a) in subsection (1A), before “Community licence” (in both places) there is inserted “Northern Ireland licence or”,
  - (b) in subsection (3A), after “such licence or” there is inserted “of a Northern Ireland licence or”,
  - (c) in subsection (8), for “and “Community licence”” there is substituted “, “Community licence” and “Northern Ireland licence””.
- 31 In section 193A (tramcars and trolley vehicles), in subsection (2)(b), for “91A,” there is substituted “91ZA to”.

*The Road Traffic Offenders Act 1988 (c. 53)*

- 32 The Road Traffic Offenders Act 1988 is amended as follows.
- 33 In section 3 (restriction on institution of proceedings for certain offences), in subsection (2A), after “99D” there is inserted “or 109C”.
- 34 In section 26 (interim disqualification), in subsection (10), for the words from “and 91A(5)” to “licences)” there is substituted “, 91ZA(7) and 91A(5) of this Act”.
- 35 In section 98 (general interpretation), in subsection (1)—
  - (a) in the definition of “the provisions connected with the licensing of drivers”, for “91A,” there is substituted “91ZA to”,
  - (b) for “and “EEA State”” there is substituted “, “EEA State” and “Northern Ireland licence””.
- 36 In Schedule 1 (offences to which sections 1, 6, 11 and 12(1) of the Act apply)—
  - (a) in the entry for section 94(3) of the Road Traffic Act 1988, in column 1, at the end there is inserted “or 109C”,
  - (b) in the entry for section 94(3A) of that Act, in column 1, at the end there is inserted “or 109C(c)”,

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- (c) in the entry for section 94A of that Act, in column 2, at the end there is inserted “or 109B”,
- (d) in the entry for section 99B(11) of that Act—
  - (i) in column 1, at the end there is inserted “and that subsection as applied by RTA section 109A(5)”,
  - (ii) in column 2, at the end there is inserted “or a requirement under section 99B(6) or (7) as applied by section 109A(5)”.

37 In Schedule 2 (prosecution and punishment of offences)—

- (a) in the entry for section 94(3) of the Road Traffic Act 1988, in column 2, at the end there is inserted “or 109C”,
- (b) in the entry for section 94(3A) of that Act, in column 2, at the end there is inserted “or 109C(c)”,
- (c) in the entry for section 94A of that Act, in column 2, at the end there is inserted “or 109B”,
- (d) in the entry for section 99B(11) of that Act—
  - (i) in column 1, at the end there is inserted “and that subsection as applied by RTA section 109A(5)”,
  - (ii) in column 2, at the end there is inserted “or a requirement under section 99B(6) or (7) as applied by section 109A(5)”.
- (e) the entry for section 109 of that Act is omitted,
- (f) before the entry for section 114 of that Act there is inserted—

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“RTA section 109B(4) deliver Northern Ireland licence to Secretary of State when required by notice under section 109B.	Summarily. Level 3 on the standard scale.”
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*The Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 (S.I. 1988/1847 (N.I. 17))*

- 38 The Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 is amended as follows.
- 39 In Article 4 (business etc. documents), in paragraph (4), for “section 3 of the Criminal Justice (International Co-operation) Act 1990” there is substituted “section 7 of the Crime (International Co-operation) Act 2003”.
- 40 In Article 6 (statements in documents that appear to have been prepared for the purposes of criminal proceedings or investigations), for “section 3 of the Criminal Justice (International Co-operation) Act 1990” there is substituted “section 7 of the Crime (International Co-operation) Act 2003”.

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*The Criminal Justice (International Co-operation) Act 1990 (c. 5)*

- 41 The Criminal Justice (International Co-operation) Act 1990 is amended as follows.
- 42 Sections 1 to 4, 7, 8 and 11 (mutual service of process and provision of evidence) are omitted.
- 43 In section 5 (transfer of UK prisoner to give evidence or assist investigation overseas), after subsection (3) there is inserted—
- “(3A) A warrant under this section has effect in spite of section 127(1) of the Army Act 1955, section 127(1) of the Air Force Act 1955 or section 82A(1) of the Naval Discipline Act 1957 (restriction on removing persons out of the United Kingdom who are serving military sentences).”
- 44 Schedule 1 (proceedings of nominated court) is omitted.

*The Road Traffic (New Drivers) Act 1995 (c. 13)*

- 45 The Road Traffic (New Drivers) Act 1995 is amended as follows.
- 46 In section 2 (surrender of licences), at the end there is inserted—
- “(6) In this section and section 3 “licence” includes a Northern Ireland licence.”
- 47 In section 3 (revocation of licences)—
- (a) after subsection (1) there is inserted—
- “(1A) Where the Secretary of State serves on the holder of a Northern Ireland licence a notice under subsection (1), the Secretary of State must send to the licensing authority in Northern Ireland—
- (a) particulars of the notice; and
- (b) the Northern Ireland licence.
- (1B) Where the Secretary of State is sent by that licensing authority particulars of a notice served on the holder of a licence under a provision of Northern Ireland law corresponding to subsection (1), he must by notice served on the holder revoke the licence.”,
- (b) in subsection (2), after “subsection (1)” there is inserted “or (1B)”,
- (c) at the end, there is inserted—
- “(3) In this section references to the revocation of a person’s Northern Ireland licence are references to its revocation as respects Great Britain; and, accordingly, the person ceases to be authorised by virtue of section 109(1) of the Road Traffic Act 1988 to drive in Great Britain a motor vehicle of any class.”
- 48 In section 4 (re-testing)—
- (a) in subsection (1)—
- (i) for “section 3(1)” there is substituted “section 3”,
- (ii) after “full licence” (in the second place it occurs) there is inserted “or (as the case may be) full Northern Ireland licence”,
- (b) after subsection (1) there is inserted—
- “(1A) Subject to subsection (5), the Secretary of State may not under that Part grant a person whose Northern Ireland licence has been revoked under a provision of Northern Ireland law corresponding

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- to section 3(1) a full licence to drive any class of vehicles in relation to which the revoked licence was issued as a full Northern Ireland licence unless he satisfies the Secretary of State as mentioned in subsection (1).”
- (c) in subsections (2) and (3), at the end there is inserted “or (as the case may be) full Northern Ireland licence”,
- (d) in subsection (5)—
- (i) for “Subsection (1) does” there is substituted “Subsections (1) and (1A) do”, and
- (ii) for “section 3(1)” there is substituted “section 3 or whose Northern Ireland licence has been revoked under a provision of Northern Ireland law corresponding to section 3(1)”.
- 49 In section 5 (restoration of licence without re-testing in certain cases)—
- (a) in subsections (1), (4) and (6), for “section 3(1)” there is substituted “section 3”,
- (b) in subsections (3)(a) and (4)(c), after “section 2” there is inserted “or (as the case may be) the provision of Northern Ireland law corresponding to that section”,
- (c) at the end there is inserted—
- “(11) Nothing in this section applies in relation to a person whose Northern Ireland licence has been revoked under section 3(1).”
- 50 In section 7 (early termination of probationary period)—
- (a) in paragraph (b), for “section 3(1)” there is substituted “section 3”,
- (b) in paragraph (c)—
- (i) for “paragraph 5(1)” there is substituted “paragraph 5”,
- (ii) for “paragraph 8(1)” there is substituted “paragraph 8”.
- 51 In section 9 (interpretation), after subsection (2) there is inserted—
- “(2A) In this Act—
- “full Northern Ireland licence” means a Northern Ireland licence other than a Northern Ireland provisional licence,
- “Northern Ireland provisional licence” means a Northern Ireland licence which corresponds to a provisional licence.”
- 52 Schedule 1 (newly qualified drivers holding test certificates) is amended as follows.
- 53 In paragraph 1, at the end there is inserted—
- “(3) In this Schedule “licence” includes a Northern Ireland licence, “full licence” includes a full Northern Ireland licence and “provisional licence” includes a Northern Ireland provisional licence.
- (4) In relation to the holder of a Northern Ireland licence, the following subparagraphs have effect for the purposes of this Schedule.
- (5) References to a test certificate are references to a certificate or other document (in this Schedule referred to as a “Northern Ireland test certificate”) which is evidence that he has not more than two years previously passed a Northern Ireland test of competence to drive corresponding to the test mentioned in sub-paragraph (1).

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(6) References to prescribed conditions are references to conditions subject to which the Northern Ireland provisional licence was granted.”

54 In paragraph 2, after sub-paragraph (4) there is inserted—

“(4A) In relation to the holder of a Northern Ireland licence, the reference in sub-paragraph (4)(b) to section 98(2) of the Road Traffic Act 1988 is a reference to the corresponding provision under the law of Northern Ireland.”

55 In paragraph 5—

(a) after sub-paragraph (1) there is inserted—

“(1A) Where the Secretary of State serves on the holder of a Northern Ireland licence a notice under sub-paragraph (1), the Secretary of State must send to the licensing authority in Northern Ireland particulars of the notice together with the Northern Ireland test certificate.

(1B) Where the Secretary of State is sent by that licensing authority particulars of a notice served on the holder of a licence under a provision of Northern Ireland law corresponding to sub-paragraph (1), he must by notice served on that person revoke his test certificate.”,

(b) in sub-paragraph (2), after “sub-paragraph (1)” there is inserted “or (1B)”,

(c) at the end there is inserted—

“(4) In this paragraph and paragraph 8 references to the revocation of a person’s Northern Ireland test certificate are references to its revocation as respects Great Britain.

(5) The effect of the revocation of a person’s Northern Ireland test certificate as respects Great Britain is that any prescribed conditions to which his Northern Ireland provisional licence ceased to be subject when he became a qualified driver shall again apply for the purposes of section 109(1) of the Road Traffic Act 1988.”

56 In paragraph 6, in sub-paragraph (1), for “paragraph 5(1)” there is substituted “paragraph 5, or whose Northern Ireland test certificate has been revoked under a provision of Northern Ireland law corresponding to paragraph 5(1).”.

57 In paragraph 8—

(a) after sub-paragraph (1) there is inserted—

“(1A) Where the Secretary of State serves on the holder of a Northern Ireland licence a notice under sub-paragraph (1), the Secretary of State must send to the licensing authority in Northern Ireland particulars of the notice together with the Northern Ireland licence and the Northern Ireland test certificate.

(1B) Where the Secretary of State is sent by that licensing authority particulars of a notice served on the holder of a licence under a provision of Northern Ireland law corresponding to sub-paragraph (1), he must by notice served on that person revoke his licence and test certificate.”,

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- (b) in sub-paragraph (2), after “sub-paragraph (1)” there is inserted “or (1B)”,
- (c) at the end there is inserted—

“(3) In this paragraph references to the revocation of a person’s Northern Ireland licence are references to its revocation as respects Great Britain; and, accordingly, the person ceases to be authorised by virtue of section 109(1) of the Road Traffic Act 1988 to drive in Great Britain a motor vehicle of any class.”

58 In paragraph 9—

- (a) in sub-paragraph (1), for “paragraph 8(1)” there is substituted “paragraph 8, or whose Northern Ireland licence and Northern Ireland test certificate have been revoked under a provision of Northern Ireland law corresponding to paragraph 8(1),”,
- (b) in sub-paragraph (4)(b)(i), after “1988” there is inserted “, or under a provision of Northern Ireland law corresponding to that section,”.

59 In paragraph 10(a)—

- (a) for “paragraph 5(1)” there is substituted “paragraph 5 (or a person’s Northern Ireland test certificate has been revoked under a provision of Northern Ireland law corresponding to paragraph 5(1))”,
- (b) for “paragraph 8(1)” there is substituted “paragraph 8 (or a person’s Northern Ireland licence and Northern Ireland test certificate have been revoked under a provision of Northern Ireland law corresponding to paragraph 8(1))”.

60 In paragraph 11—

- (a) in sub-paragraphs (1) and (2)(c), for “paragraph 5(1)” and “paragraph 8(1)” there is substituted “paragraph 5” and “paragraph 8” respectively,
- (b) in sub-paragraph (1)(d), after “section 2” there is inserted “or (as the case may be) the provision of Northern Ireland law corresponding to that section”.

*The Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39)*

61 The Criminal Law (Consolidation) (Scotland) Act 1995 is amended as follows.

62 In section 27 (Lord Advocate’s direction), in subsection (2), for “section 4(2B) of the Criminal Justice (International Co-operation) Act 1990” there is substituted “section 15(4) of the Crime (International Co-operation) Act 2003”.

63 In section 28 (powers of investigation)—

- (a) in subsection (8), for the words from “by the” to the end there is substituted “by virtue of section 27(2) of this Act shall be given to the overseas authority which requested it or to the Lord Advocate for forwarding to that authority”,
- (b) subsection (9) is omitted,
- (c) in subsection (10), for “transmitted” (in both places) there is substituted “forwarded”.

*The Criminal Procedure (Scotland) Act 1995 (c. 46)*

64 The Criminal Procedure (Scotland) Act 1995 is amended as follows.

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- 65 In section 210(1)(c) (consideration, in passing sentence of imprisonment or detention, of time spent in custody), at the end there is inserted “so however that a period of time spent both in custody on remand and, by virtue of section 47(1) of the Crime (International Co-operation) Act 2003, abroad is not for any reason to be discounted in a determination under paragraph (a) above or specification under paragraph (b) above”.

*The United Nations Personnel Act 1997 (c. 13)*

- 66 The United Nations Personnel Act 1997 is amended as follows.
- 67 In section 5 (supplementary provisions), in subsections (1) and (2), for “and the Nuclear Material (Offences) Act 1983” there is substituted “, the Nuclear Material (Offences) Act 1983 and the Terrorism Act 2000”.

*The Data Protection Act 1998 (c. 29)*

- 68 The Data Protection Act 1998 is amended as follows.
- 69 In section 28(1) (national security), for “section” there is substituted “sections 54A and”.
- 70 In section 60(2) and (3) (prosecutions and penalties), before “paragraph 12” there is inserted “section 54A and”.
- 71 In section 63(5) (application to the Crown), for “section” there is substituted “sections 54A and”.

*The Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)*

- 72 The Powers of Criminal Courts (Sentencing) Act 2000 is amended as follows.
- 73 In section 146 (driving disqualification for any offence)—
- (a) in subsection (4), the “or” at the end of paragraph (a) is omitted and after that paragraph there is inserted—
    - “(aa) in the case where he holds a Northern Ireland licence (within the meaning of Part 3 of the Road Traffic Act 1988), his Northern Ireland licence and its counterpart (if any); or”,
  - (b) in subsection (5), in the definition of “counterpart”, the “and” at the end of paragraph (a) is omitted and after that paragraph there is inserted—
    - “(aa) in relation to a Northern Ireland licence, has the meaning given by section 109A of that Act; and”.
- 74 In section 147 (driving disqualification where vehicle used for purposes of crime), in subsection (5), the “or” at the end of paragraph (a) is omitted and after that paragraph there is inserted—
- “(aa) in the case where he holds a Northern Ireland licence (within the meaning of Part 3 of the Road Traffic Act 1988), his Northern Ireland licence and its counterpart (if any); or”.

*The Terrorism Act 2000 (c. 11)*

- 75 The Terrorism Act 2000 is amended as follows.

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- 76 In section 121 (interpretation), in the definition of “premises”, before “includes” (in the first place) there is inserted “, except in section 63D.”.
- 77 In section 123 (orders and regulations), in subsection (2), after paragraph (b) there is inserted—  
“(ba) section 63C(3)(d);”.

*The Regulation of Investigatory Powers Act 2000 (c. 23)*

- 78 The Regulation of Investigatory Powers Act 2000 is amended as follows.
- 79 In section 65 (investigatory powers tribunal)—  
(a) in subsection (5)—  
(i) after paragraph (c) there is inserted—  
“(ca) the carrying out of surveillance by a foreign police or customs officer (within the meaning of section 76A);”,  
(ii) in paragraph (d), at the beginning there is inserted “other”,  
(b) after subsection (7), there is inserted—  
“(7A) For the purposes of this section conduct also takes place in challengeable circumstances if it takes place, or purports to take place, under section 76A.”
- 80 In section 78 (orders, regulations and rules), in subsection (3)(a), for “or 71(9)” there is substituted “, 71(9) or 76A(9)”.

*The Armed Forces Act 2001 (c. 19)*

- 81 In section 31 of the Armed Forces Act 2001 (power to make provision in consequence of enactments relating to criminal justice), in subsection (7)—  
(a) after “section” there is inserted “section 5 of the Criminal Justice (International Co-operation) Act 1990 and”,  
(b) for “is” there is substituted “are”.

*The Proceeds of Crime Act 2002 (c. 29)*

- 82 The Proceeds of Crime Act 2002 is amended as follows.
- 83 In section 376 (evidence overseas)—  
(a) subsection (5) is omitted,  
(b) in subsection (6), for the words preceding paragraph (a) there is substituted “The person issuing a letter of request may send it”,  
(c) for subsection (7) there is substituted—  
“(7) Alternatively, the person issuing the letter of request may send it to the Secretary of State for forwarding to the court, tribunal or authority mentioned in subsection (6).  
(7A) In a case of urgency, the person issuing the letter of request may send it to—  
(a) the International Criminal Police Organisation, or  
(b) any body or person competent to receive it under any provisions adopted under the Treaty on European Union,

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for forwarding to the court, tribunal or authority mentioned in subsection (6).”