



# Crime (International Co-operation) Act 2003

## 2003 CHAPTER 32

### PART 1

#### MUTUAL ASSISTANCE IN CRIMINAL MATTERS

#### CHAPTER 2

#### MUTUAL PROVISION OF EVIDENCE

#### *Overseas freezing orders*

### **22 Giving effect to the order**

- (1) The nominated court is to give effect to the overseas freezing order by issuing a warrant authorising a constable—
  - (a) to enter the premises to which the overseas freezing order relates and search the premises to the extent reasonably required for the purpose of discovering any evidence to which the order relates, and
  - (b) to seize and retain any evidence for which he is authorised to search.
- (2) But, in relation to England and Wales and Northern Ireland, so far as the overseas freezing order relates to excluded material or special procedure material the court is to give effect to the order by making a production order.
- (3) A production order is an order for the person who appears to the court to be in possession of the material to produce it to a constable before the end of the period of seven days beginning with the date of the production order or such longer period as the production order may specify.
- (4) The constable may take away any material produced to him under a production order; and the material is to be treated for the purposes of section 21 of the Police and

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**Changes to legislation:** *Crime (International Co-operation) Act 2003, Section 22 is up to date with all changes known to be in force on or before 26 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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Criminal Evidence Act 1984 (c. 60) or (as the case may be) Article 23 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/ 1341 (N.I.12)) (access and copying) as if it had been seized by the constable.

- (5) If a person fails to comply with a production order, the court may (whether or not it deals with the matter as a contempt of court) issue a warrant under subsection (1) in respect of the material to which the production order relates.
- (6) Section 409 of the Proceeds of Crime Act 2002 (c. 29) (jurisdiction of sheriff) has effect for the purposes of subsection (1) as if that subsection were included in Chapter 3 of Part 8 of that Act.

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**Commencement Information**

**II** S. 22 in force at 19.10.2009 by [S.I. 2009/2605](#), [art. 2\(b\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 22 omitted by [S.I. 2019/742 reg. 87\(8\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2019/742, reg. 87(4)-(11) revoked (31.12.2020) by virtue of [2020 c. 29](#), s. 40(6)(c), Sch. 3 para. 2(2)(a))

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A4B inserted by [2003 c. 44 Sch. 36 para. 16](#)