
STATUTORY INSTRUMENTS

1993 No. 3148

**CRIMINAL LAW, ENGLAND AND WALES
CRIMINAL LAW, NORTHERN IRELAND**

**The Criminal Justice (International Co-operation)
Act 1990 (Enforcement of Overseas Forfeiture
Orders) (Amendment) (No. 2) Order 1993**

Made - - - - *16th December 1993*
Laid before Parliament *10th January 1994*
Coming into force - - *1st February 1994*

At the Court at Buckingham Palace, the 16th day of December 1993

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 9 of the Criminal Justice (International Co-operation) Act 1990(1), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1.—(1) This Order may be cited as the Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Amendment) (No. 2) Order 1993 and shall come into force on 1st February 1994.

(2) In this Order “the principal Order” means—

- (a) in relation to England and Wales, the Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) Order 1991(2) (“the England and Wales Order”); and
- (b) in relation to Northern Ireland, the Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Northern Ireland) Order 1991(3) (“the Northern Ireland Order”).

(1) 1990 c. 5; section 9 was amended by section 21 of the Criminal Justice Act 1993 (c. 36).
(2) S.I. 1991/1463, amended by S.I. 1992/1721 and 1993/1791.
(3) S.I. 1991/1464, amended by S.I. 1992/1721 and 1993/1791.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

2. Schedule 1 to the principal Order (which defines the institution of proceedings for the purposes of article 2(5) of that Order) shall be amended, after the entry relating to Montserrat, by the insertion 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”.

3. Schedule 2 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 Schedule 1 to this Order (including where so specified the appropriate authority for a country or territory) and the removal of the entry specifying the appropriate authority for Switzerland; and
- (b) by the insertion opposite the entry for Switzerland, of the following entry—
“Office federal de la police”.

4. Schedule 3 to the principal Order shall be amended by the insertion at the appropriate places in alphabetical order of the entries for those countries and territories specified in Schedule 2 to this Order (including where so specified the appropriate authority for a country or territory).

N. H. Nicholls
Clerk of the Privy Council

SCHEDULE 1

Article 3

DESIGNATED COUNTRIES — DRUG TRAFFICKING OFFENCES

Designated country	Appropriate authority
Armenia	
Azerbaijan	
Bosnia and Herzegovina	
Brunei	
Colombia	the Fiscalia General de la Nacion
Croatia	
Dominica	
Dominican Republic	
El Salvador	
Macedonia	
Mauritania	
Netherlands	Afdeling Internationale Rechtshulp
Slovakia	
Zambia	
Zimbabwe	

SCHEDULE 2

Article 4

DESIGNATED COUNTRIES — OTHER OFFENCES

Designated country	Appropriate authority
Bulgaria	
Isle of Man	Her Majesty's Attorney General for the Isle of Man
Netherlands	Afdeling Internationale Rechtshulp
Switzerland	Office federal de la police

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) Order 1991 (S.I. [1991/1463](#)) and the Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Northern Ireland) Order 1991 (S.I. [1991/1464](#)). These provide for the enforcement in England and Wales and Northern Ireland of orders made by a Court in a designated country or territory for the forfeiture and destruction or other disposal of property used in connection with the commission of a drug trafficking offence. The powers in each of the 1991 Orders also apply 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. The Orders were extended by the Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Amendment) Order 1993 (S.I. [1993/1791](#)) to include offences corresponding to indictable offences to which Part VI of the Criminal Justice Act [1988 \(c. 33\)](#) applies and corresponding offences under the law of Northern Ireland.

This Order makes amendments in respect of the countries and territories to which the 1991 Orders apply.