
STATUTORY INSTRUMENTS

1994 No. 1640

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

The Criminal Justice (International Co-
operation) Act 1990 (Enforcement of Overseas
Forfeiture Orders) (Amendment) Order 1994

<i>Made</i>	- - - -	<i>22nd June 1994</i>
<i>Laid before Parliament</i>		<i>4th July 1994</i>
<i>Coming into force</i>	- -	<i>1st August 1994</i>

At the Court at Buckingham Palace, the 22nd day of June 1994
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) Order 1994 and shall come into force on 1st August 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⁾; 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⁾.

2. In article 3(1) and article 12(1)(e) of the principal Order the words “or intended for use” shall be inserted after “used”.

(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, 1993/1791 and 1993/3148.
(3) S.I. 1991/1464, amended by S.I. 1992/1721, 1993/1791 and 1993/3148.

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3. 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 Bermuda by the insertion of the following—

“British Virgin Islands	(a) when a summons or warrant is issued in respect of an offence;
	(b) when a person is charged with an offence after being taken into custody without a warrant;
	(c) when an indictment is preferred”

4. 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
- (b) by the removal of the entry relating to Czechoslovakia.

5. There shall be inserted in Schedule 3 to the principal Order, after the entry for Switzerland, the entry for the United States of America (including the appropriate authority) specified in Schedule 2 to this Order.

N. H. Nicholls
Clerk of the Privy Council

SCHEDULE 1

Article 4

DESIGNATED COUNTRIES — DRUG TRAFFICKING OFFENCES

Designated country	Appropriate authority
British Virgin Islands	The Attorney General of the British Virgin Islands
The Czech Republic	
Finland	
Latvia	
Sudan	

SCHEDULE 2

Article 5

DESIGNATED COUNTRIES — OTHER OFFENCES

Designated country	Appropriate authority
United States of America	The Attorney General of the United States of America

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. It also amends articles 3(1) and 12(1) of the 1991 Orders to enable an external order for the forfeiture of anything which was intended for use in the commission of a relevant offence to be enforced in England and Wales and Northern Ireland.

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