

2001 No. 957

CRIMINAL LAW, ENGLAND AND WALES

CRIMINAL LAW, NORTHERN IRELAND

**The Criminal Justice (International Co-operation) Act 1990
(Enforcement of Overseas Forfeiture Orders) (Amendment)
Order 2001**

Made - - - - - *14th March 2001*

Laid before Parliament *26th March 2001*

Coming into force - - *17th April 2001*

At the Court at Buckingham Palace, the 14th day of March 2001

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(a), 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 2001 and shall come into force on 17th April 2001.

(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(b); and
- (b) in relation to Northern Ireland, the Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Northern Ireland) Order 1991(c).

2. Schedule 1 to the principal Order (which indicates the point at which proceedings are instituted for the purposes of article 2(5) of that Order) shall be amended by the insertion, after the entry for Thailand, of the following—

“Trinidad and Tobago (a) when an information or complaint is laid before the magistrate;
(b) when a person is charged with an offence;
(c) when a bill of indictment is preferred;
(d) when a warrant of arrest is executed against a person”.

(a) 1990 c. 5; section 9 was amended by section 21 of the Criminal Justice Act 1993 (c. 36) and by section 14 of the Proceeds of Crime Act 1995 (c. 11).

(b) S.I. 1991/1463, amended by S.I. 1992/1721, 1993/1791, 1993/3148, 1994/1640, 1996/2878, 1997/1317 and 1997/2977.

(c) S.I. 1991/1464, amended by S.I. 1992/1721, 1993/1791, 1993/3148, 1994/1640, 1996/2878, 1997/1317 and 1997/2977.

3. Schedule 2 to the principal Order (designation of countries and territories for drug trafficking offences) 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, in the case of Hong Kong Special Administrative Region, the appropriate authority for that territory);
 - (b) by the insertion, opposite the entry for Ireland, of the following entry—“The Department of Justice, Equality and Law Reform”; and
 - (c) by the insertion, opposite the entry for Portugal, of the following entry—“The Ministry of Justice”.
4. Schedule 3 to the principal Order (designation of countries and territories for other offences) 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 2 to this Order (including, where so specified, the appropriate authority for a country or territory); and
 - (b) by the insertion, opposite the entry for Ireland, of the following entry—“The Department of Justice, Equality and Law Reform”.

A. K. Galloway,
Clerk of the Privy Council

SCHEDULE 1

Article 3

DESIGNATED COUNTRIES AND TERRITORIES—DRUG TRAFFICKING OFFENCES

<i>Designated country or territory</i>	<i>Appropriate authority</i>
Andorra	
Comoros	
Estonia	
Georgia	
Hong Kong Special Administrative Region	The Department of Justice
Iceland	
Indonesia	
Korea, Republic of	
Lebanon	
Libya	
Mozambique	
The Netherlands Antilles and Aruba	
New Zealand	
Philippines	
San Marino	
Singapore	
Vietnam	

SCHEDULE 2

Article 4

DESIGNATED COUNTRIES AND TERRITORIES—OTHER OFFENCES

<i>Designated country or territory</i>	<i>Appropriate authority</i>
Andorra	
Belgium	
Croatia	
Estonia	
Federal Republic of Germany	
Greece	
Hong Kong Special Administrative Region	The Department of Justice
Hungary	
Iceland	
Latvia	
Macedonia, the Former Yugoslav Republic of	
Malta	
The Netherlands Antilles and Aruba	
Poland	
Portugal	
San Marino	
Slovenia	
Spain	
Trinidad and Tobago	The Attorney General or a person designated by him.

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) (“the 1991 Orders”). It adds the countries and territories listed in Schedule 1 to this Order to the list, in Schedule 2 to the 1991 Orders, of countries and territories designated for drug trafficking offences.

This Order also adds the countries and territories listed in Schedule 2 to this Order to the list, in Schedule 3 to the 1991 Orders, of countries and territories designated for other offences.

This Order also inserts, in Schedule 1 to the 1991 Orders, an indication of when proceedings are to be regarded as being instituted in Trinidad and Tobago. It also inserts, in Schedule 2 and 3 to the 1991 Orders, entries relating to the “appropriate authority” (for the purposes of certifying certain matters under the 1991 Orders) in respect of certain countries previously designated for (in the case of Schedule 2) drug trafficking offences and, (in the case of Schedule 3) other offences.

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