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STATUTORY INSTRUMENTS

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**2017 No. 730**

**CRIMINAL LAW**

**The Criminal Justice (European Investigation Order) Regulations 2017**

<i>Made</i>	- - - -	<i>5th July 2017</i>
<i>Laid before Parliament</i>		<i>10th July 2017</i>
<i>Coming into force</i>		<i>31st July 2017</i>

**THE CRIMINAL JUSTICE (EUROPEAN INVESTIGATION ORDER) REGULATIONS 2017**

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9. Transmission of a European investigation order
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55. Temporary transfer of EU prisoner to UK for the purpose of issuing State's investigation
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Signature

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  2. Amendment of the Criminal Justice Act 1988
  3. Amendment of the Criminal Procedure (Scotland) Act 1995
  4. Amendment of the Criminal Law (Consolidation) (Scotland) Act 1995
  5. Amendment of the Regulation of Investigatory Powers Act 2000
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- ##### PART 2 — Amendments to subordinate legislation
10. Amendment of the Criminal Justice (Evidence) (Northern Ireland) Order 2004
  11. Amendment of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (England, Wales and Northern Ireland) Order 2009
  12. Amendment of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (Scotland) Order 2009
  13. Amendment of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (Scotland) (No. 3) Order 2009
  14. Amendment of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (England, Wales and Northern Ireland) Order 2010

#### SCHEDULE 4 — General grounds for refusal

1. The execution of the European investigation order would be impossible...
2. The execution of the European investigation order would harm essential...
3. An investigative measure specified in the European investigation order would...
4. The execution of the European investigation order would be contrary...
5. The European investigation order relates to conduct which is alleged...
6. There are substantial grounds for believing that executing the European...
7. There are substantial grounds for believing that—

SCHEDULE 5 — Receiving evidence before a nominated court

1. In this Schedule, “nominated court” means a court nominated under...
2. The nominated court has the same powers for securing the...
3. In Scotland the nominated court has the power to issue...
4. The nominated court may take evidence on oath.
5. Rules of court may, in particular, make provision in respect...
6. (1) A person cannot be compelled to give any evidence—...
7. The evidence received by the nominated court is to be...
8. So far as may be necessary to give effect to...
9. The Bankers’ Books Evidence Act 1879 applies to proceedings under...
10. No order for costs (or in Scotland, expenses) may be...

SCHEDULE 6 — Hearing a person by video-link or telephone conference

PART 1 — Hearing by video-link

1. In this Part— “nominated court” means a court nominated under...
2. The nominated court has the same powers for securing the...
3. In Scotland the nominated court has the power to issue...
4. The nominated court must establish the identity of the person...
5. The person must be heard— (a) in the presence of...
6. The nominated court must intervene where it considers it necessary...
7. A person cannot be compelled to give any evidence—
8. A certificate signed by or on behalf of the Secretary...
9. Rules of court must make provision for—

PART 2 — Hearing by telephone conference

10. In this Part, “nominated court” means a court nominated under...
11. The nominated court must notify the witness or expert of...
12. The nominated court must— (a) establish the identity of the...
13. The witness or expert must be heard—
14. Rules of court must make provision for—

Explanatory Note