



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 5

### CRIMINAL JUSTICE

#### *Obtaining information from outwith United Kingdom*

#### **105 Obtaining information from outwith United Kingdom**

After section 194I of the 1995 Act insert—

##### **“194IA Power to request assistance in obtaining information abroad**

- (1) Where it appears to the Commission that there may be information which they require for the purposes of carrying out their functions, and the information is outside the United Kingdom, they may apply to the High Court to request assistance.
- (2) On an application made by the Commission under subsection (1), the High Court may request assistance if satisfied that it is reasonable in the circumstances.
- (3) In this section, “request assistance” means request assistance in obtaining outside the United Kingdom any information specified in the request for use by the Commission for the purposes of carrying out their functions.
- (4) Section 8 of the Crime (International Co-operation) Act 2003 (c.32) (sending requests for assistance) applies to requests for assistance under this section as it applies to requests for assistance under section 7 of that Act.
- (5) Subsections (2), (3) and (6) of section 9 of that Act (use of evidence obtained) apply to information obtained pursuant to a request for assistance under this section as they apply under subsection (1) of that section to evidence obtained pursuant to a request for assistance under section 7 of that Act.”