

CRIME (INTERNATIONAL CO-OPERATION) ACT 2003

EXPLANATORY NOTES

BACKGROUND

Part 4: Miscellaneous

21. **Part 4** makes various miscellaneous provisions. Section 80 provides for the disclosure of information by the Serious Fraud Office in the context of criminal investigations or proceedings. This Part also covers four different areas of the Schengen Convention. Firstly, section 81 permits the Information Commissioner to inspect any of the three European information systems which are or will be used by the UK. Section 82 provides for driver licensing information to be disclosed for the purposes of the Schengen Information System. In the realm of police co-operation, sections 83 to 85 implement the requirement of the Schengen Convention for officers from one Member State to conduct unaccompanied surveillance in another Schengen state for up to five hours in exceptional circumstances. The extradition provisions in sections 86 and 87 would allow the UK to apply the Schengen-building provisions of the 1996 Extradition Convention to non-EU Member States such as Iceland and Norway; and to apply the 1995 and 1996 Extradition Conventions to Italy and France.
22. The 2001 Framework Decision, one aspect of which is implemented in Part 4 of the Act, is intended to support the fight against fraud and counterfeiting across the EU. The measure forms part of the Commission's Fraud Prevention Action Plan. It requires Member States to criminalise different types of conduct in relation to non-cash means of payment - for example, the obtaining and possession of false or counterfeit monetary instruments for fraudulent purposes. With the exception of part of one article, the provisions of the 2001 Framework Decision are already covered within UK law.