STATUTORY INSTRUMENTS

2008 No. 3009 (C. 130)

CRIMINAL LAW
ROAD TRAFFIC

The Crime (International Co-operation) Act 2003 (Commencement No. 4) Order 2008

Made - - - - 19th November 2008

The Secretary of State makes the following Order, in exercise of the powers conferred by section 94(1) and (4) of the Crime (International Co-operation) Act 2003(**1**).

Citation

1.—(1) This Order may be cited as the Crime (International Co-operation) Act 2003 (Commencement No 4) Order 2008.

(2) In this Order—

"the Act" means the Crime (International Co-operation) Act 2003.

Provisions coming into force once the convention on driving disqualifications applies between the United Kingdom and Ireland

2.—(1) Subject to paragraphs (3) and (4), the provisions of the Crime (International Co-operation) Act 2003 specified in paragraph (2) come into force on the day which is —

(a) 90 days after the date on which the United Kingdom and Ireland make declarations under Article 15(4) of the convention on driving disqualifications, or

(b) (if they are not made on the same date) 90 days after the later of the dates on which those declarations are made.

(2) The provisions are—

(a) in Part 3—

Chapter 1;

(b) Schedule 3;

(c) in Schedule 5—

paragraphs 5 and 6,

(**1**) 2003 c.32.

paragraph 18(b)(**2**), and

paragraph 27(a) in so far as not already in force(**3**).

(3) Sections 54 and 55 and Schedule 3 come into force only in relation to an offender who is normally resident in Ireland.

(4) Sections 56 to 70 come into force only in relation to an offence of which an offender has been convicted in Ireland.

Provisions coming into force on 17th December 2008

3. The entries in Schedule 6 to the Act (repeals) relating to the Powers of Criminal Courts (Sentencing) Act 2000(**4**) come into force on 17th December 2008.

Signed by authority of the Secretary of State for Transport

Jim Fitzpatrick
Parliamentary Under Secretary of State
Department for Transport

19th November 2008

(**2**) In Schedule 5, paragraph 18(a) was commenced by S.I. 2004/ 2624, made on 8th October 2004.
(**3**) In Schedule 5, paragraph 27(a), sub-section (ii) and part of sub-section(iii) were commenced by S.I. 2004/2624, made on 8th October 2004
(**4**) 2000 c.6.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the provisions of the Crime (International Co-operation) Act 2003 ("the Act") specified in articles 2 and 3, which relate to the mutual recognition of driving disqualifications as between the United Kingdom and Ireland. The Act gives effect to the Convention drawn up on the basis of Article K.3 of the Treaty of European Union on Driving Disqualifications signed on 17th June 1998 (EC 98/C 216/01) ("the convention on driving disqualifications").

These provisions will come into force on the date on which the convention on driving disqualifications applies to both the United Kingdom and Ireland. This will be 90 days after the later of the notifications from these two Member States has been deposited with the Secretary General of the Council of the European Union, under Article 15(4) of the convention. This date will be notified in the London, Edinburgh and Belfast Gazettes. The date will also be notified on the Department for Transport website.

Article 3 commences the repeal of provisions in the Powers of Criminal Courts (Sentencing) Act 2000 by section 91(2) and Schedule 6 of the Act.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

Section 94(1) of the Crime (International Co-operation) Act 2003 ("the Act") provides that the Act (except for Part 5, Chapter 2 and provisions mentioned in section 94(3)) is to come into force on such day as the Secretary of State may by order made by statutory instrument appoint. Section 94(1) of the Act came into force on Royal Assent on 30 October 2003. The following provisions of the Act have been commenced by statutory instrument before the date of this Order—

Provision	*Date of Commencement*	*S.I. No.*
Sections 1 to 9	26th April 2004	2004/786
Sections 13 to 19	26th April 2004	2004/786
Sections 26 to 31	26th April 2004	2004/786
Sections 32 to 36	1st November 2006	2006/2811
Sections 42 to 46	1st November 2006	2006/2811
Sections 47 and 48	26th April 2004	2004/786
Sections 49 to 51	26th March 2004	2004/786
Sections 52 and 53	26th April 2004	2004/786
Sections 80 to 85	26th April 2004	2004/786
Section 88	26th April 2004	2004/786
Section 91	26th April 2004	2004/786
Schedules 1 and 2,	26th April 2004	2004/786
Schedule 5 (partially)	26th April 2004	2004/786

Provision	*Date of Commencement*	*S.I. No.*
Schedule 5 (partially)	11th October 2004	2004/2624
Schedule 6 (partially)	26th April 2004	2004/786
Schedule 6 (partially)	11th October 2004	2004/2624