

---

STATUTORY INSTRUMENTS

---

**2014 No. 3191**

**The Criminal Justice and Data Protection  
(Protocol No. 36) (Amendment) Regulations 2014**

**Amendments to the Criminal Justice and Data Protection (Protocol No. 36) Regulations 2014**

2.—(1) The Criminal Justice and Data Protection (Protocol No. 36) Regulations 2014<sup>(1)</sup> are amended as follows.

(2) In regulation 3 (interpretation), in paragraph (1) omit the definition of “working day”.

(3) In regulation 5 (interpretation), and in Schedule 2 (proceeds of crime (foreign property and foreign orders): Northern Ireland), in paragraph 1 (interpretation), at the end insert—

“.

“working day” means a day other than a Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971<sup>(2)</sup>

(4) In regulation 8 (sending overseas restraint orders to the court), in paragraph (6)(a), and in Schedule 1 (proceeds of crime (foreign property and foreign orders): Scotland), in paragraph 4 (sending overseas restraint orders to the court), in sub-paragraph (6)(a), and in Schedule 2 (proceeds of crime (foreign property and foreign orders): Northern Ireland), in paragraph 4 (sending overseas restraint orders to the court), in sub-paragraph (6)(a), for “a court exercising criminal jurisdiction” substitute “an appropriate court or authority”.

(5) In regulation 18 (notification, communication, etc.)—

(a) in paragraph (4)(b), for “issued” substitute “made or confirmed”; and

(b) in paragraph (8), in the definition of “relevant decision”, in paragraphs (d) and (g), for “discharge (or in Scotland, to recall)” substitute “cancel the registration of”.

(6) In regulation 40 (transfer to competent authorities in third countries or to international bodies), in paragraph (1)(d), for “(3)” substitute “(4)”.

(7) In regulation 60 (circulars)—

(a) in paragraph (3), for “paragraph (1)” substitute “paragraphs (1) and (4)”; and

(b) in paragraph (4), after “Relevant” insert “UK”.

(8) In regulation 67 (replies to a request for information under Article 6 of the Framework Decision in relation to criminal proceedings and proceedings other than criminal proceedings), in paragraph (2)(c), for “by” substitute “on or before”.

(9) In regulation 71 (deadlines for replies to a request for information under Article 6 of the Framework Decision)—

(a) in paragraph (1), for “regulation 66(1)” substitute “Article 6(1) of the Framework Decision”; and

(b) in paragraph (3), for “regulation 66(2)” substitute “Article 6(2) of the Framework Decision”.

---

(1) S.I. 2014/3141.

(2) 1971 c. 80.

(10) In regulation 91 (power of arrest where magistrates' court responsible for monitoring supervision measures: England and Wales), in paragraph (9)(a), and in regulation 110 (power of arrest where magistrates' court responsible for monitoring supervision measures: Northern Ireland), in paragraph (8)(a), before "issuing" insert "competent authority of the".

(11) In Schedule 1, in paragraph 1 (interpretation), at the end insert—  
“,

“working day” means a day other than a Saturday, Sunday, or a day which is a bank holiday under the Banking and Financial Dealings Act 1971”.

(12) In Schedule 4 (UK competent authorities)—

- (a) omit “The Chief Executive of the Scottish Prison Service”;
- (b) for “The Director of Public Prosecution Service Northern Ireland” substitute “The Director of Public Prosecutions for Northern Ireland”;
- (c) omit “The Foreign and Commonwealth Office”, “The Home Office”, “The Ministry of Defence”, and “The Ministry of Justice”;
- (d) in the entries between “The Scottish Police Authority” and “The Serious Fraud Office”, in each place where it occurs, omit “the Department for” or “the Department of”, as the case may be; and
- (e) after the entry amended by paragraph (d) concerning—
  - (i) “The Secretary of State for Communities and Local Government” insert “The Secretary of State for Defence”;
  - (ii) “The Secretary of State for Environment, Food and Rural Affairs” insert “The Secretary of State for Foreign and Commonwealth Affairs”; and
  - (iii) “The Secretary of State for Health” insert—
    - “The Secretary of State for the Home Department
    - The Secretary of State for Justice”.