



Crime (International Co-operation) Act 2003

2003 CHAPTER 32

PART 1

MUTUAL ASSISTANCE IN CRIMINAL MATTERS

CHAPTER 2

MUTUAL PROVISION OF EVIDENCE

Assistance in obtaining evidence abroad

VALID FROM 19/10/2009

10 Domestic freezing orders

- (1) If it appears to a judicial authority in the United Kingdom, on an application made by a person mentioned in subsection (4)—
 - (a) that proceedings in respect of a listed offence have been instituted or such an offence is being investigated,
 - (b) that there are reasonable grounds to believe that there is evidence in a participating country which satisfies the requirements of subsection (3), and
 - (c) that a request has been made, or will be made, under section 7 for the evidence to be sent to the authority making the request,the judicial authority may make a domestic freezing order in respect of the evidence.
- (2) A domestic freezing order is an order for protecting evidence which is in the participating country pending its transfer to the United Kingdom.
- (3) The requirements are that the evidence—

Status: Point in time view as at 26/04/2004. This version of this provision is not valid for this point in time.

Changes to legislation: Crime (International Co-operation) Act 2003, Section 10 is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) is on premises specified in the application in the participating country,
 - (b) is likely to be of substantial value (whether by itself or together with other evidence) to the proceedings or investigation,
 - (c) is likely to be admissible in evidence at a trial for the offence, and
 - (d) does not consist of or include items subject to legal privilege.
- (4) The application may be made—
- (a) in relation to England and Wales and Northern Ireland, by a constable,
 - (b) in relation to Scotland, by the Lord Advocate or a procurator fiscal.
- (5) The judicial authorities are—
- (a) in relation to England and Wales, any judge or justice of the peace,
 - (b) in relation to Scotland, any judge of the High Court or sheriff,
 - (c) in relation to Northern Ireland, any judge or resident magistrate.
- (6) This section does not prejudice the generality of the power to make a request for assistance under section 7.

Status:

Point in time view as at 26/04/2004. This version of this provision is not valid for this point in time.

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