



# Crime (International Co-operation) Act 2003

## 2003 CHAPTER 32

### PART 1

#### MUTUAL ASSISTANCE IN CRIMINAL MATTERS

#### CHAPTER 1

##### MUTUAL SERVICE OF PROCESS ETC.

##### *Service of UK process abroad*

### **3 General requirements for service of process**

- (1) This section applies to any process issued or made for the purposes of criminal proceedings by a court in England and Wales or Northern Ireland.
- (2) The process may be issued or made in spite of the fact that the person on whom it is to be served is outside the United Kingdom.
- (3) Where the process is to be served outside the United Kingdom and the person at whose request it is issued or made believes that the person on whom it is to be served does not understand English, he must—
  - (a) inform the court of that fact, and
  - (b) provide the court with a copy of the process, or of so much of it as is material, translated into an appropriate language.
- (4) Process served outside the United Kingdom requiring a person to appear as a party or attend as a witness—
  - (a) must not include notice of a penalty,

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**Status:** Point in time view as at 26/04/2004.

**Changes to legislation:** Crime (International Co-operation) Act 2003, Section 3 is up to date with all changes known to be in force on or before 21 July 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)

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- (b) must be accompanied by a notice giving any information required to be given by rules of court.
- (5) If process requiring a person to appear as a party or attend as a witness is served outside the United Kingdom, no obligation to comply with the process under the law of the part of the United Kingdom in which the process is issued or made is imposed by virtue of the service.
- (6) Accordingly, failure to comply with the process does not constitute contempt of court and is not a ground for issuing a warrant to secure the attendance of the person in question.
- (7) But the process may subsequently be served on the person in question in the United Kingdom (with the usual consequences for non-compliance).

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**Commencement Information**

**II** S. 3 in force at 26.4.2004 by S.I. 2004/786, art. 3

**Status:**

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