

Status: Point in time view as at 31/01/2017.

Changes to legislation: Coroners and Justice Act 2009, Cross Heading: Proving of foreign convictions before courts in England and Wales is up to date with all changes known to be in force on or before 14 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)

SCHEDULES

SCHEDULE 17

TREATMENT OF CONVICTIONS IN OTHER MEMBER STATES ETC

Proving of foreign convictions before courts in England and Wales

- 13 (1) Section 73 of the Police and Criminal Evidence Act 1984 (c. 60) (proof of convictions and acquittals) is amended as follows.
- (2) In subsection (1), after “Kingdom” insert “ or any other member State ”.
- (3) In subsection (2), after paragraph (b) insert “; and
- (c) shall, as regards a conviction or acquittal by a court in a member State (other than the United Kingdom), consist of a certificate, signed by the proper officer of the court where the conviction or acquittal took place, giving details of the offence, of the conviction or acquittal, and of any sentence;”.
- (4) In subsection (3)—
- (a) in paragraph (b), after “other court” insert “ in the United Kingdom ”, and
- (b) after that paragraph add “, and
- “(c) in relation to any court in another member State (“the EU court”), a person who would be the proper officer of the EU court if that court were in the United Kingdom.”

Commencement Information

II Sch. 17 para. 13 in force at 15.8.2010 by S.I. 2010/1858, art. 3(d)(vii)

- 14 (1) Section 74 of that Act (conviction as evidence of commission of offence) is amended as follows.
- (2) In subsection (1), after “Kingdom” (in first place it occurs) insert “ or any other member State ”.
- (3) In subsection (2), after “Kingdom” (in first place it occurs) insert “ or any other member State ”.
- (4) In subsection (3)(a) after “Kingdom” insert “ or any other member State ”.

Commencement Information

I2 Sch. 17 para. 14 in force at 15.8.2010 by S.I. 2010/1858, art. 3(d)(vii)

- 15 In section 75 of that Act (provisions supplementary to section 74), for subsection (1) (b) substitute—

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- “(b) the contents of—
- (i) the information, complaint, indictment or charge-sheet on which the person in question was convicted, or
 - (ii) in the case of a conviction of an offence by a court in a member State (other than the United Kingdom), any document produced in relation to the proceedings for that offence which fulfils a purpose similar to any document or documents specified in sub-paragraph (i).”

Commencement Information

I3 Sch. 17 para. 15 in force at 15.8.2010 by S.I. 2010/1858, art. 3(d)(vii)

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