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STATUTORY INSTRUMENTS

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**1991 No. 1072 (C.29)**

**CRIMINAL LAW, ENGLAND AND WALES  
CRIMINAL LAW, SCOTLAND  
CRIMINAL LAW, NORTHERN IRELAND**

**The Criminal Justice (International Co-operation)  
Act 1990(Commencement No. 1) Order 1991**

*Made - - - - 23rd April 1991*

In exercise of the powers conferred on me by section 32(2) of the Criminal Justice (International Co-operation) Act 1990(1), I hereby make the following Order:

1.—(1) This Order may be cited as the Criminal Justice (International Co-operation) Act 1990 (Commencement No. 1) Order 1991.

(2) In this Order “the 1990 Act” means the Criminal Justice (International Co-operation) Act 1990.

2. Subject to article 3 below—

(a) the provisions of the 1990 Act specified in Part I of the Schedule to this Order shall come into force on 10th June 1991; and

(b) the provisions of the 1990 Act specified in Part II thereof shall come into force on 1st July 1991.

3. To the extent necessary for the purposes of making any Order in Council, order, rules or regulations under any of the following provisions thereof, the 1990 Act shall come into force forthwith—

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section 3(3)	designation of prosecuting authority for purposes of issuing letters of request
sections 7(7) and 8(5)	conferral of powers of search etc. by persons other than constables
section 9	enforcement of overseas forfeiture orders
section 10	rules of court for the purposes of Part I

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section 12(5)	substances useful for manufacturing controlled drugs
section 13	regulations about scheduled substances
section 28(2)	rules of court for the purposes of Part III
section 29(2)	prescribed sum for the purposes of seizure of cash under Part III
section 32(4)	extension of Act's provisions to Channel Islands, Isle of Man or any colony
Schedule 2	substances useful for manufacturing controlled drugs
paragraph 1(1)(c) of Schedule 3	specification of enforcement officers in relation to offences on ships.

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Home Office  
23rd April 1991

*Kenneth Baker*  
One of Her Majesty's Principal Secretaries of  
State

## SCHEDULE

Article 2

## PART I

## PROVISIONS OF THE CRIMINAL JUSTICE (INTERNATIONAL CO-OPERATION) ACT 1990 COMING INTO FORCE ON 10th JUNE 1991

Provisions of the Act	Subject matter of provisions
Part I and Schedule 1	Criminal proceedings and investigations
Section 30(1)	Expenses and receipts
Section 31, to the extent necessary to bring into force the provisions of Schedules 4 and 5 specified respectively in Appendices A and B hereto	Consequential and other amendments and repeals
So much of Schedule 4 as is specified in Appendix A hereto	Consequential and other amendments
So much of Schedule 5 as is specified in Appendix B hereto	Repeals
Section 32	Short title, commencement and extent

## APPENDIX A

## PROVISIONS OF SCHEDULE 4 COMING INTO FORCE ON 10th JUNE 1991

So much of Schedule 4 as amends the following enactments:

The Magistrates' Courts Act 1980 (c. 43).

The Criminal Justice Act 1988 (c. 33).

The Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I.26)).

The Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 (S.I. 1988/1847 (N.I.17)).

## APPENDIX B

## REPEALS TAKING EFFECT ON 10th JUNE 1991

Chapter	Short title	Extent of repeal
36 & 37 Vict. c.60	The Extradition Act 1873	Section 5.
1975 c. 34	The Evidence (Proceedings in Other Jurisdictions) Act 1975	Section 5.
1978 c. 26	The Suppression of Terrorism Act 1978	In section 1, subsection (3)(d) together with the word "and" immediately preceding it, in subsection (4) the words from "and that subsection (3) (d)(ii)" onwards and

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Chapter	Short title	Extent of repeal
1988 c. 33	The Criminal Justice Act 1988	subsection (5)(b) together with the word "and" immediately preceding it. Section 29.

## PART II

### PROVISIONS OF THE CRIMINAL JUSTICE (INTERNATIONAL CO-OPERATION) ACT 1990 COMING INTO FORCE ON 1st JULY 1991

Provisions of the Act	Subject matter of provisions
Part II and Schedules 2 and 3 (so far as not already in force)	Substances useful for manufacture of controlled drugs, proceeds of crime and offences at sea
Section 31 (so far as not already in force)	Consequential and other amendments and repeals
Schedule 4 (so far as not already in force)	Consequential and other amendments
Schedule 5 (so far as not already in force)	Repeals

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 10th June 1991 Parts I and IV (save for sections 30(2) and 31(2)) of the Criminal Justice (International Co-operation) Act 1990, which provide for mutual legal assistance between countries in criminal matters. Part II of the Act comes into force on 1st July 1991 (offences and regulations concerning scheduled substances, proceeds of crime and offences at sea) which in part implements the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances which was signed in Vienna on 20th December 1988. By virtue of article 3, the 1990 Act, to the extent necessary for the making of any Order in Council, order, regulations or rules thereunder, comes into force forthwith.