
STATUTORY INSTRUMENTS

2020 No. 1408

The Law Enforcement and Security (Separation Issues etc.) (EU Exit) Regulations 2020

PART 2

Amendments of the Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019

CHAPTER 8

Mutual Legal Assistance

Amendments relating to the Crime (International Co-operation) Act 2003 and related legislation

20.—(1) In the heading for Chapter 7 of Part 18, for “subordinate” substitute “related”.

(2) In regulation 96 (freezing orders) after paragraph (4) insert—

“(5) Regulation 79(2) (amendment of the Criminal Justice and Police Act 2001) does not apply in respect of an overseas freezing order received before commencement day by the Secretary of State under section 1 of the 2003 Act.

(6) See Article 62(1)(c) and Title VII of Part 3 of the withdrawal agreement, and sections 7A and 7C of the Withdrawal Act.”.

Amendments relating to requests for information about financial accounts and transactions

21. In regulation 97 (requests for information about financial accounts and transactions), after paragraph (5) insert—

“(6) See Article 62(1)(a) and Title VII of Part 3 of the withdrawal agreement, Article 50(1) and Title IV of Part 3 of the EEA EFTA separation agreement and sections 7A to 7C of the Withdrawal Act.”.

Amendments relating to certain mutual legal assistance requests from Iceland

22. In regulation 98 (certain mutual legal assistance request from Iceland), after paragraph (4) insert—

“(5) See Article 50(1) of the EEA EFTA separation agreement and sections 7B and 7C of the Withdrawal Act.”.

Amendments relating to mutual legal assistance requests

23. After regulation 98 insert—

“Transitional provision - requests received before commencement day

98A.—(1) Regulation 87(2) (amendment of the 2003 Act) does not apply in respect of any request received by the Secretary of State or by the Lord Advocate before commencement day for a process or other document to which section 1 of the 2003 Act (service of overseas process) applied to be served on a person in the United Kingdom.

(2) Paragraphs (6), (7) and (13) of regulation 87 do not apply in respect of any request for assistance in obtaining evidence in a part of the United Kingdom that is received before commencement day by the territorial authority for that part of the United Kingdom.

(3) See Article 62(1)(a) and Title VII of Part 3 of the withdrawal agreement, Article 50(1) and (3) and Title IV of Part 3 of the EEA EFTA separation agreement and sections 7A to 7C of the Withdrawal Act.”.

Amendment relating to designation of participating countries

24. In the text to be substituted by regulation 88(2) (amendment of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (England, Wales and Northern Ireland) Order 2009) and in the text to be substituted by regulation 90(2) (amendment of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (Scotland) Order 2009), after “Ireland,” in each place where it occurs insert “Italy,”.