

1992 No. 469

CRIMINAL PROCEDURE

The Criminal Justice (Confiscation) (Designated Countries and Territories) (Amendment) (Northern Ireland) Order 1992*Made* 5th November 1992*Coming into operation* 11th January 1993*To be laid before Parliament*

The Secretary of State, in pursuance of Article 27 of the Criminal Justice (Confiscation) (Northern Ireland) Order 1990(a), hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Criminal Justice (Confiscation) (Designated Countries and Territories) (Amendment) (Northern Ireland) Order 1992 and shall come into operation on 11th January 1993.

(2) In this Order—

“the principal Order” means the Criminal Justice (Confiscation) (Designated Countries and Territories) (Northern Ireland) Order 1991(b).

2. Schedule 1 to the principal Order shall be amended by inserting in alphabetical order the entries for those countries and territories specified in the Schedule being countries and territories designated under section 26 of the Drug Trafficking Offences Act 1986(c).

3. The Appendix set out at the end of Schedule 3 to the principal Order (which defines the institution of proceedings for the purposes of sub-paragraph (a) of Article 2(13) of the Criminal Justice (Confiscation) (Northern Ireland) Order 1990 as modified by Schedule 2 to the principal Order) shall be amended as follows:

(a) after the entry relating to Anguilla, there shall be inserted the following—

“Argentina when a judge has ordered that a person be detained for the purpose of testifying in connection with the commission of an offence”;

(a) S.I. 1990/2588 (N.I. 17)

(b) S.R. 1991 No. 221

(c) 1986 c. 32

(b) after the entry relating to the Cayman Islands, there shall be inserted the following—

“Germany when a person is notified that he is accused of an offence and will be brought before a court”;

(c) after the entry relating to Guernsey, there shall be inserted the following—

“Guyana when a charge has been laid against a person for an offence”; and

(d) after the entry relating to the United States of America, there shall be inserted the following—

“Uruguay when criminal proceedings are instituted by a judicial authority”.

Northern Ireland Office
5th November 1992

P. B. B. Mayhew
One of Her Majesty's Principal
Secretaries of State

<i>Designated Country</i>	<i>Appropriate Authority</i>
Afghanistan	
Argentina	the Ministry of Foreign Affairs
Brazil	
Burma	
Cameroon	
Czechoslovakia	
Germany	
Greece	
Guyana	the Permanent Secretary, Ministry of Home Affairs
Honduras	
Hungary	
Ivory Coast	
Monaco	
Nepal	
Pakistan	
Peru	
Portugal	
Seychelles	
Sri Lanka	
Syria	
Uruguay	the Ministry of Education and Culture
Venezuela	

(This note is not part of the Order.)

This Order amends the Criminal Justice (Confiscation) (Designated Countries and Territories) (Northern Ireland) Order 1991 ("the principal Order") which provides that, subject to certain modifications, the Criminal Justice (Confiscation) (Northern Ireland) Order 1990 applies to an order made by a court in any of the countries or territories listed in Schedule 1 to the principal Order (being countries and territories designated under section 26 of the Drug Trafficking Offences Act 1986) for the purpose of recovering payments or other rewards received in connection with drug trafficking or their value, and to proceedings which have been or are to be instituted in a designated country or territory and may result in such an order being made there.

Article 2 of this Order amends the list of designated countries in the principal Order by the addition of Afghanistan, Argentina, Brazil, Burma, Cameroon, Czechoslovakia, Germany, Greece, Guyana, Honduras, Hungary, Ivory Coast, Monaco, Nepal, Pakistan, Peru, Portugal, Seychelles, Sri Lanka, Syria, Uruguay and Venezuela. Article 3 makes consequential amendments to the principal Order.

By virtue of Article 1(1) this Order comes into operation on 11th January 1993.