



Criminal Justice (International Co-operation) Act 1990

1990 CHAPTER 5

PART I

CRIMINAL PROCEEDINGS AND INVESTIGATIONS

Additional co-operation powers

9 Enforcement of overseas forfeiture orders.

- (1) Her Majesty may by Order in Council provide for the enforcement in the United Kingdom of any order which—
- (a) is made by a court in a country or territory outside the United Kingdom designated for the purposes of this section by the Order in Council; and
 - (b) is for the forfeiture and destruction, or the forfeiture and other disposal, of anything in respect of which an offence to which this section applies has been committed or which was used [^{F1}or intended for use] in connection with the commission of such an offence.

^{F2}[(1A) Without prejudice to the generality of subsection (1) above the provision that may be made by virtue of that subsection includes provision which, for the purpose of facilitating the enforcement of any order that may be made, has effect at times before there is an order to be enforced.]

- (2) Without prejudice to the generality of subsection (1) above an Order in Council under this section may provide for the registration by a court in the United Kingdom of any order as a condition of its enforcement and prescribe requirements to be satisfied before an order can be registered.
- (3) An Order in Council under this section may include such supplementary and incidental provisions as appear to Her Majesty to be necessary or expedient and may apply for the purposes of the Order (with such modifications as appear to Her Majesty to be

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (International Co-operation) Act 1990, Section 9. (See end of Document for details)

appropriate) any provisions relating to confiscation or forfeiture orders under any other enactment.

(4) An Order in Council under this section may make different provision for different cases.

[^{F3}(5) An Order in Council under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

[^{F4}(6) This section applies to any offence that corresponds to or is similar to—

- (a) an offence under the law of England and Wales;
- (b) an offence under the law of Scotland; or
- (c) an offence under the law of Northern Ireland.]

Textual Amendments

- F1** Words in s. 9(1)(b) inserted (1.12.1993) by 1993 c. 36, s. 21(1) (with s. 78(6)); S.I. 1993/2734, art. 2, Sch.
- F2** S. 9(1A) inserted (retrospectively) by 1995 c. 11, ss. 14(3), 16(4)
- F3** S. 9(5) substituted (1.12.1993) by 1993 c. 36, s. 21(2)(3)(h) (with s. 78(6)); S.I. 1993/2734, art. 2, Sch.
- F4** S. 9(6) substituted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 95, 178(7) (a); S.I. 2005/1521, art. 2(1)(a)

Modifications etc. (not altering text)

- C1** Ss. 1-6, 8-10, 12-16, 18-21, 24-30, 32, Schs. 1-3 extended with modifications (to Anguilla) (14.7.1994) by S.I. 1994/1635, art. 2, Sch. 1

Commencement Information

- I1** S. 9 wholly in force; s. 9 in force for certain purposes at 23.4.1991, s. 9 wholly in force at 10.6.1991. See s. 32(2) and S.I. 1991/1072, arts. 2(a), 3, Schedule Pt. I

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice (International Co-operation) Act 1990, Section 9.