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Crime (International Co-operation) Act 2003

CHAPTER 32

CRIME (INTERNATIONAL CO-OPERATION) ACT 2003

PART 1

MUTUAL ASSISTANCE IN CRIMINAL MATTERS

CHAPTER 1

MUTUAL SERVICE OF PROCESS ETC.

Service of overseas process in the UK

- 1 Service of overseas process
- 2 Service of overseas process: supplementary

Service of UK process abroad

- 3 General requirements for service of process
- 4 Service of process otherwise than by post
- 5 General requirements for effecting Scottish citation etc.
- 6 Effecting Scottish citation etc. otherwise than by post

CHAPTER 2

MUTUAL PROVISION OF EVIDENCE

Assistance in obtaining evidence abroad

- 7 Requests for assistance in obtaining evidence abroad

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- 8 Sending requests for assistance
- 9 Use of evidence obtained
- 10 Domestic freezing orders
- 11 Sending freezing orders
- 12 Variation or revocation of freezing orders

Assisting overseas authorities to obtain evidence in the UK

- 13 Requests for assistance from overseas authorities
- 14 Powers to arrange for evidence to be obtained
- 15 Nominating a court etc. to receive evidence
- 16 Extension of statutory search powers in England and Wales and Northern Ireland
- 17 Warrants in England and Wales or Northern Ireland
- 18 Warrants in Scotland
- 19 Seized evidence

Overseas freezing orders

- 20 Overseas freezing orders
- 21 Considering the order
- 22 Giving effect to the order
- 23 Postponed effect
- 24 Evidence seized under the order
- 25 Release of evidence held under the order

General

- 26 Powers under warrants
- 27 Exercise of powers by others
- 28 Interpretation of Chapter 2

CHAPTER 3

HEARING EVIDENCE THROUGH TELEVISION LINKS OR BY TELEPHONE

- 29 Hearing witnesses abroad through television links
- 30 Hearing witnesses in the UK through television links
- 31 Hearing witnesses in the UK by telephone

CHAPTER 4

INFORMATION ABOUT BANKING TRANSACTIONS

Requests for information about banking transactions in England and Wales and Northern Ireland for use abroad

- 32 Customer information
- 33 Making, varying or discharging customer information orders
- 34 Offences
- 35 Account information
- 36 Making, varying or discharging account monitoring orders

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Requests for information about banking transactions in Scotland for use abroad

- 37 Customer information
- 38 Making, varying or discharging customer information orders
- 39 Offences
- 40 Account information
- 41 Making, varying or discharging account monitoring orders

Disclosure of information

- 42 Offence of disclosure

Requests for information about banking transactions for use in UK

- 43 Information about a person's bank account
- 44 Monitoring banking transactions
- 45 Sending requests for assistance

General

- 46 Interpretation of Chapter 4

CHAPTER 5

TRANSFER OF PRISONERS

- 47 Transfer of UK prisoner to assist investigation abroad
- 48 Transfer of EU etc. prisoner to assist UK investigation

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SUPPLEMENTARY

- 49 Rules of court
- 50 Subordinate legislation
- 51 General interpretation

PART 2

TERRORIST ACTS AND THREATS: JURISDICTION

- 52 Jurisdiction for terrorist offences
- 53 Jurisdiction for offence under section 113 of the Anti-terrorism, Crime and Security Act 2001

PART 3

ROAD TRAFFIC

CHAPTER 1

CONVENTION ON DRIVING DISQUALIFICATIONS

Road traffic offences in UK

- 54 Application of section 55

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- 55 Duty to give notice to foreign authorities of driving disqualification of a non-UK resident

Disqualification in respect of road traffic offences outside UK

- 56 Application of section 57
57 Recognition in United Kingdom of foreign driving disqualification
58 Notice under section 57

Appeals

- 59 Appeal against disqualification
60 Power of appellate courts in England and Wales to suspend disqualification
61 Power of appellate courts in Scotland to suspend disqualification
62 Power of appellate courts in Northern Ireland to suspend disqualification

Production of licence

- 63 Production of licence: Great Britain
64 Production of licence: Northern Ireland
65 Production of licence: Community licence holders

Disqualification

- 66 Effect of disqualification by virtue of section 57
67 Rule for determining end of period of disqualification

Endorsement

- 68 Endorsement of licence: Great Britain
69 Endorsement of licence: Northern Ireland

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- 70 Duty of appropriate Minister to inform competent authority
71 Notices
72 Regulations: Great Britain
73 Regulations: Northern Ireland
74 Interpretation
75 Application to Crown

CHAPTER 2

MUTUAL RECOGNITION WITHIN THE UNITED KINGDOM ETC.

- 76 Recognition in Great Britain of disqualifications in Northern Ireland etc.
77 Endorsement of counterparts issued to Northern Ireland licence holders
78 Prohibition on holding or obtaining Great Britain and Northern Ireland licences
79 Disability and prospective disability

PART 4

MISCELLANEOUS

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Information

- 80 Disclosure of information by SFO
- 81 Inspection of overseas information systems
- 82 Driver licensing information

Cross-border surveillance

- 83 Foreign surveillance operations
- 84 Assaults on foreign officers
- 85 Liability in respect of foreign officers

Extradition

- 86 Schengen-building provisions of the 1996 Extradition Convention
- 87 States in relation to which 1995 and 1996 Extradition Conventions not in force

False monetary instruments

- 88 False monetary instruments: England and Wales and Northern Ireland
- 89 False monetary instruments: Scotland

Freezing of terrorist property

- 90 Freezing of terrorist property

PART 5

FINAL PROVISIONS

CHAPTER 1

AMENDMENTS AND REPEALS

- 91 Amendments and repeals

CHAPTER 2

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- 92 Northern Ireland
- 93 Supplementary and consequential provision
- 94 Commencement
- 95 Extent
- 96 Short title

SCHEDULES

SCHEDULE 1 — Proceedings of a nominated court under section 15

Securing attendance of witnesses

- 1 The court has the like powers for securing the attendance...
- 2 In Scotland the court has power to issue a warrant...

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Power to administer oaths

- 3 The court may take evidence on oath.

Proceedings

- 4 Rules of court under section 49 may, in particular, make...

Privilege of witnesses

- 5 (1) A person cannot be compelled to give any evidence...

Forwarding evidence

- 6 (1) The evidence received by the court is to be...

Supplementary

- 7 The Bankers' Books Evidence Act 1879 (c. 11) applies to...
8 No order for costs may be made.

SCHEDULE 2 — Evidence given by television link or telephone
Part 1 — EVIDENCE GIVEN BY TELEVISION LINK

Securing attendance of witnesses

- 1 The nominated court has the like powers for securing the...
2 In Scotland the nominated court has power to issue a...

Conduct of hearing

- 3 The witness is to give evidence in the presence of...
4 The nominated court is to establish the identity of the...
5 The nominated court is to intervene where it considers it...
6 The evidence is to be given under the supervision of...
7 The evidence is to be given in accordance with the...
8 Rules of court under section 49 must make provision for...

Privilege of witness

- 9 (1) The witness cannot be compelled to give any evidence...

Record of hearing

- 10 Rules of court under section 49 must make provision—
Part 2 — EVIDENCE GIVEN BY TELEPHONE

Notification of witness

- 11 The nominated court must notify the witness of the time...

Conduct of hearing

- 12 The nominated court must be satisfied that the witness is...
13 The witness is to give evidence in the presence of...
14 The nominated court is to establish the identity of the...
15 The evidence is to be given under the supervision of...
16 The evidence is to be given in accordance with the...

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17 Rules of court under section 49 must make provision for...

SCHEDULE 3 — Offences for the purposes of section 54

Part 1 — OFFENCES WHERE ORDER OF DISQUALIFICATION FOR A MINIMUM PERIOD UNNECESSARY

- 1 (1) Manslaughter or culpable homicide by the driver of a...
- 2 An offence under section 89(1) of the Road Traffic Regulation...
- 3 An offence under any of the following sections of the...
- 4 An offence under section 12 of the Road Traffic Act...
- 5 An offence under section 103(1)(b) of the Road Traffic Act...
- 6 An offence under section 170(4) of the Road Traffic Act...

Part 2 — OFFENCES WHERE ORDER OF DISQUALIFICATION FOR MINIMUM PERIOD NECESSARY

- 7 An offence which— (a) is mentioned in Part 1 of...

SCHEDULE 4 — Terrorist property: freezing orders

- 1 The Terrorism Act 2000 (c. 11) is amended as follows...
- 2 In section 123 (orders and regulations), in subsection (2)(i), for...
- 3 In Part 1 of Schedule 4 (forfeiture orders: England and...
- 4 In paragraph 14 of that Schedule (enforcement of orders made...
- 5 In Part 2 of that Schedule (forfeiture orders: Scotland), after...
- 6 In paragraph 28 of that Schedule (enforcement of orders made...
- 7 In Part 3 of that Schedule (forfeiture orders: Northern Ireland),...
- 8 In paragraph 44 of that Schedule (enforcement of orders made...
- 9 In Part 4 of that Schedule (insolvency), in paragraph 45,...

SCHEDULE 5 — Minor and consequential amendments

The Internationally Protected Persons Act 1978 (c. 17)

- 1 The Internationally Protected Persons Act 1978 is amended as follows...
- 2 In section 2 (supplementary provisions), in subsections (1) and (2),...

The Suppression of Terrorism Act 1978 (c. 26)

- 3 The Suppression of Terrorism Act 1978 is amended as follows...
- 4 In section 4 (jurisdiction in respect of offences committed outside...

The Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/ 154 (N.I. 1))

- 5 The Road Traffic (Northern Ireland) Order 1981 is amended as...
- 6 In Article 4 (exceptions to offence under Article 3), in...

The Nuclear Material (Offences) Act 1983 (c. 18)

- 7 The Nuclear Material (Offences) Act 1983 is amended as follows...
- 8 In section 3 (supplemental), in subsections (1) and (2), for...

The Child Abduction Act 1984 (c. 37)

- 9 The Child Abduction Act 1984 is amended as follows.
- 10 In section 11 (consequential amendments and repeals), in subsection (3),...

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The Criminal Justice Act 1987 (c. 38)

- 11 The Criminal Justice Act 1987 is amended as follows.
- 12 In section 2 (investigation powers of Director of Serious Fraud...

The Criminal Justice Act 1988 (c. 33)

- 13 The Criminal Justice Act 1988 is amended as follows.
- 14 In section 24 (business etc. documents), in subsection (4), for...
- 15 In section 26 (statements in documents that appear to have...
- 16 In paragraph 6 of Schedule 13 (evidence before courts-martial etc.)—...

The Road Traffic Act 1988 (c. 52)

- 17 The Road Traffic Act 1988 is amended as follows.
- 18 In section 88 (exceptions to offence under section 87)—
- 19 In section 92 (requirements as to physical fitness of drivers),...
- 20 In section 94A (driving after refusal or revocation of licence),...
- 21 In section 97 (grant of licences), in subsection (1)(d), for...
- 22 In section 100 (appeals relating to licences), in subsection (1)—...
- 23 In section 105 (regulations)— (a) in subsection (2)—
- 24 In section 107 (service of notices), for “99B or 99E”...
- 25 In section 108 (interpretation), in subsection (1)—
- 26 In section 109 (provisions as to Northern Ireland drivers' licences)—...
- 27 In section 164 (power of constables to require production of...
- 28 In section 167 (power of arrest for constable in Scotland),...
- 29 In section 173 (forgery of documents, etc.)—
- 30 In section 176 (power to seize certain articles)—
- 31 In section 193A (tramcars and trolley vehicles), in subsection (2)(b),...

The Road Traffic Offenders Act 1988 (c. 53)

- 32 The Road Traffic Offenders Act 1988 is amended as follows....
- 33 In section 3 (restriction on institution of proceedings for certain...
- 34 In section 26 (interim disqualification), in subsection (10), for the...
- 35 In section 98 (general interpretation), in subsection (1)—
- 36 In Schedule 1 (offences to which sections 1, 6, 11...
- 37 In Schedule 2 (prosecution and punishment of offences)—

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

- 38 The Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 is...
- 39 In Article 4 (business etc. documents), in paragraph (4), for...
- 40 In Article 6 (statements in documents that appear to have...

The Criminal Justice (International Co-operation) Act 1990 (c. 5)

- 41 The Criminal Justice (International Co-operation) Act 1990 is amended as...
- 42 Sections 1 to 4, 7, 8 and 11 (mutual service...
- 43 In section 5 (transfer of UK prisoner to give evidence...
- 44 Schedule 1 (proceedings of nominated court) is omitted.

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The Road Traffic (New Drivers) Act 1995 (c. 13)

- 45 The Road Traffic (New Drivers) Act 1995 is amended as...
- 46 In section 2 (surrender of licences), at the end there...
- 47 In section 3 (revocation of licences)— (a) after subsection (1)...
- 48 In section 4 (re-testing)— (a) in subsection (1)—
- 49 In section 5 (restoration of licence without re-testing in certain...
- 50 In section 7 (early termination of probationary period)—
- 51 In section 9 (interpretation), after subsection (2) there is inserted—...
- 52 Schedule 1 (newly qualified drivers holding test certificates) is amended...
- 53 In paragraph 1, at the end there is inserted—
- 54 In paragraph 2, after sub-paragraph (4) there is inserted—
- 55 In paragraph 5— (a) after sub-paragraph (1) there is inserted—...
- 56 In paragraph 6, in sub-paragraph (1), for “paragraph 5(1)” there...
- 57 In paragraph 8— (a) after sub-paragraph (1) there is inserted—...
- 58 In paragraph 9— (a) in sub-paragraph (1), for “paragraph 8(1)”...
- 59 In paragraph 10(a)— (a) for “paragraph 5(1)” there is substituted...
- 60 In paragraph 11— (a) in sub-paragraphs (1) and (2)(c), for...

The Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39)

- 61 The Criminal Law (Consolidation) (Scotland) Act 1995 is amended as...
- 62 In section 27 (Lord Advocate’s direction), in subsection (2), for...
- 63 In section 28 (powers of investigation)— (a) in subsection (8),...

The Criminal Procedure (Scotland) Act 1995 (c. 46)

- 64 The Criminal Procedure (Scotland) Act 1995 is amended as follows...
- 65 In section 210(1)(c) (consideration, in passing sentence of imprisonment or...

The United Nations Personnel Act 1997 (c. 13)

- 66 The United Nations Personnel Act 1997 is amended as follows...
- 67 In section 5 (supplementary provisions), in subsections (1) and (2),...

The Data Protection Act 1998 (c. 29)

- 68 The Data Protection Act 1998 is amended as follows.
- 69 In section 28(1) (national security), for “section” there is substituted...
- 70 In section 60(2) and (3) (prosecutions and penalties), before “paragraph...
- 71 In section 63(5) (application to the Crown), for “section” there...

The Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

- 72 The Powers of Criminal Courts (Sentencing) Act 2000 is amended...
- 73 In section 146 (driving disqualification for any offence)—
- 74 In section 147 (driving disqualification where vehicle used for purposes...

The Terrorism Act 2000 (c. 11)

- 75 The Terrorism Act 2000 is amended as follows.
- 76 In section 121 (interpretation), in the definition of “premises”, before...

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77 In section 123 (orders and regulations), in subsection (2), after...

The Regulation of Investigatory Powers Act 2000 (c. 23)

78 The Regulation of Investigatory Powers Act 2000 is amended as...

79 In section 65 (investigatory powers tribunal)— (a) in subsection (5)—...

80 In section 78 (orders, regulations and rules), in subsection (3)(a),...

The Armed Forces Act 2001 (c. 19)

81 In section 31 of the Armed Forces Act 2001 (power...

The Proceeds of Crime Act 2002 (c. 29)

82 The Proceeds of Crime Act 2002 is amended as follows....

83 In section 376 (evidence overseas)— (a) subsection (5) is omitted,...

SCHEDULE 6 — Repeals

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