



Crime (International Co-operation) Act 2003

2003 CHAPTER 32

PART 1 **U.K.**

MUTUAL ASSISTANCE IN CRIMINAL MATTERS

CHAPTER 4 **U.K.**

INFORMATION ABOUT BANKING TRANSACTIONS

Requests for information about banking transactions for use in UK

43 **Information about a person's bank account** **U.K.**

- (1) If it appears to a judicial authority in the United Kingdom, on an application made by a prosecuting authority, that—
 - (a) a person is subject to an investigation in the United Kingdom into serious criminal conduct,
 - (b) the person holds, or may hold, an account at a bank which is situated in a participating country, and
 - (c) the information which the applicant seeks to obtain is likely to be of substantial value for the purposes of the investigation,the judicial authority may request assistance under this section.
- (2) The judicial authorities are—
 - (a) in relation to England and Wales, any judge or justice of the peace,
 - (b) in relation to Scotland, any sheriff,
 - (c) in relation to Northern Ireland, any judge or resident magistrate.

Changes to legislation: *Crime (International Co-operation) Act 2003, Cross Heading: Requests for information about banking transactions for use in UK is up to date with all changes known to be in force on or before 08 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (3) If it appears to a prosecuting authority mentioned in subsection (4) that paragraphs (a) to (c) of subsection (1) are met, the authority may itself request assistance under this section.
- (4) The prosecuting authorities are—
- (a) in relation to England and Wales and Northern Ireland, a prosecuting authority designated by an order made by the Secretary of State,
 - (b) in relation to Scotland, the Lord Advocate or a procurator fiscal.
- (5) The assistance that may be requested under this section is any assistance in obtaining from a participating country one or more of the following—
- (a) information as to whether the person in question holds any accounts at any banks situated in the participating country,
 - (b) details of any such accounts,
 - (c) details of transactions carried out in any period specified in the request in respect of any such accounts.
- (6) A request for assistance under this section must—
- (a) state the grounds on which the authority making the request thinks that the person in question may hold any account at a bank which is situated in a participating country and (if possible) specify the bank or banks in question,
 - (b) state the grounds on which the authority making the request considers that the information sought to be obtained is likely to be of substantial value for the purposes of the investigation, and
 - (c) include any information which may facilitate compliance with the request.
- (7) For the purposes of this section, a person holds an account if—
- (a) the account is in his name or is held for his benefit, or
 - (b) he has a power of attorney in respect of the account.

In relation to Scotland, a power of attorney includes a factory and commission.

Commencement Information

II S. 43 in force at 1.11.2006 by [S.I. 2006/2811](#), [art. 3](#)

44 Monitoring banking transactions **U.K.**

- (1) If it appears to a judicial authority in the United Kingdom, on an application made by a prosecuting authority, that the information which the applicant seeks to obtain is relevant to an investigation in the United Kingdom into criminal conduct, the judicial authority may request assistance under this section.
- (2) The judicial authorities are—
- (a) in relation to England and Wales, any judge or justice of the peace,
 - (b) in relation to Scotland, any sheriff,
 - (c) in relation to Northern Ireland, any judge or resident magistrate.
- (3) If it appears to a prosecuting authority mentioned in subsection (4) that the information which it seeks to obtain is relevant to an investigation into criminal conduct, the authority may itself request assistance under this section.

Changes to legislation: Crime (International Co-operation) Act 2003, Cross Heading: Requests for information about banking transactions for use in UK is up to date with all changes known to be in force on or before 08 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (4) The prosecuting authorities are—
- (a) in relation to England and Wales and Northern Ireland, a prosecuting authority designated by an order made by the Secretary of State,
 - (b) in relation to Scotland, the Lord Advocate or a procurator fiscal.
- (5) The assistance that may be requested under this section is any assistance in obtaining from a participating country details of transactions to be carried out in any period specified in the request in respect of any accounts at banks situated in that country.

Commencement Information

I2 S. 44 in force at 1.11.2006 by [S.I. 2006/2811](#), [art. 3](#)

45 Sending requests for assistance U.K.

- (1) A request for assistance under section 43 or 44, other than one to which subsection (3) or (4) applies, is to be sent to the Secretary of State for forwarding—
- (a) to a court specified in the request and exercising jurisdiction in the place where the information is to be obtained, or
 - (b) to any authority recognised by the participating country in question as the appropriate authority for receiving requests for assistance of the kind to which this section applies.
- (2) But in cases of urgency the request may be sent to a court referred to in subsection (1)(a).
- (3) Such a request for assistance by the Lord Advocate is to be sent to a court or authority mentioned in subsection (1)(a) or (b).
- (4) Such a request for assistance by a sheriff or a procurator fiscal is to be sent to such a court or authority, or to the Lord Advocate for forwarding to such a court or authority.

Commencement Information

I3 S. 45 in force at 1.11.2006 by [S.I. 2006/2811](#), [art. 3](#)

Changes to legislation:

Crime (International Co-operation) Act 2003, Cross Heading: Requests for information about banking transactions for use in UK is up to date with all changes known to be in force on or before 08 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A4B inserted by [2003 c. 44 Sch. 36 para. 16](#)
- Sch. 3 para. 3(da)(db) inserted by [2024 c. 10 Sch. 3 para. 3\(2\)](#)
- Sch. 3 para. 4A inserted by [2024 c. 10 Sch. 3 para. 3\(3\)](#)