



Crime (International Co-operation) Act 2003

2003 CHAPTER 32

PART 1

MUTUAL ASSISTANCE IN CRIMINAL MATTERS

CHAPTER 2

MUTUAL PROVISION OF EVIDENCE

Assistance in obtaining evidence abroad

7 Requests for assistance in obtaining evidence abroad

- (1) If it appears to a judicial authority in the United Kingdom on an application made by a person mentioned in subsection (3)—
 - (a) that an offence has been committed or that there are reasonable grounds for suspecting that an offence has been committed, and
 - (b) that proceedings in respect of the offence have been instituted or that the offence is being investigated,the judicial authority may request assistance under this section.
- (2) The assistance that may be requested under this section is assistance in obtaining outside the United Kingdom any evidence specified in the request for use in the proceedings or investigation.
- (3) The application may be made—
 - (a) in relation to England and Wales and Northern Ireland, by a prosecuting authority,
 - (b) in relation to Scotland, by the Lord Advocate or a procurator fiscal,

Status: Point in time view as at 31/12/2020.

Changes to legislation: Crime (International Co-operation) Act 2003, Section 7 is up to date with all changes known to be in force on or before 23 June 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)

- (c) where proceedings have been instituted, by the person charged in those proceedings.
- (4) The judicial authorities are—
 - (a) in relation to England and Wales, any judge or justice of the peace,
 - (b) in relation to Scotland, any judge of the High Court or sheriff,
 - (c) in relation to Northern Ireland, any judge or resident magistrate.
- (5) In relation to England and Wales or Northern Ireland, a designated prosecuting authority may itself request assistance under this section if—
 - (a) it appears to the authority that an offence has been committed or that there are reasonable grounds for suspecting that an offence has been committed, and
 - (b) the authority has instituted proceedings in respect of the offence in question or it is being investigated.

“Designated” means designated by an order made by the Secretary of State.
- (6) In relation to Scotland, the Lord Advocate or a procurator fiscal may himself request assistance under this section if it appears to him—
 - (a) that an offence has been committed or that there are reasonable grounds for suspecting that an offence has been committed, and
 - (b) that proceedings in respect of the offence have been instituted or that the offence is being investigated.

^{F1}(7)

Textual Amendments

F1 S. 7(7) omitted (31.12.2020) by virtue of [The Law Enforcement and Security \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/742\)](#), regs. 1, **87(3)** (with reg. 98) (as amended by S.I. 2020/1408, regs. 1, 22); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I1 S. 7 in force at 26.4.2004 by [S.I. 2004/786](#), **art. 3**

Status:

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