

Status: Point in time view as at 31/01/2017.

Changes to legislation: Coroners and Justice Act 2009, Cross Heading: Proving of foreign convictions before courts in Northern Ireland is up to date with all changes known to be in force on or before 14 July 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)

SCHEDULES

SCHEDULE 17

TREATMENT OF CONVICTIONS IN OTHER MEMBER STATES ETC

Proving of foreign convictions before courts in Northern Ireland

- 16 (1) Article 71 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12)) (proof of convictions and acquittals) is amended as follows.
- (2) After paragraph (1) insert—
- “(1A) Where in any criminal proceedings the fact that a person has in a member State been convicted or acquitted of an offence is admissible in evidence, it may be proved by—
- (a) producing a certificate of conviction or, as the case may be, of acquittal relating to that offence, and
- (b) proving that the person named in the certificate as having been convicted or acquitted of the offence is the person whose conviction or acquittal of the offence is to be proved.”
- (3) In paragraph (2), after sub-paragraph (b) insert “; and
- “(c) shall, as regards a conviction or acquittal by a court in a member State (other than the United Kingdom), consist of a certificate, signed by the clerk of the court where the conviction or acquittal took place, giving details of the offence, of the conviction or acquittal, and of any sentence;”.

Commencement Information

II Sch. 17 para. 16 in force at 18.4.2011 for N.I. by S.R. 2011/182, art. 2(d)(ii)

- 17 (1) Article 72 of that Order (conviction as evidence of commission of offence) is amended as follows.
- (2) In paragraph (1), after “Kingdom” (in first place it occurs) insert “ or any other member State ”.
- (3) In paragraph (2), after “Kingdom” (in first place it occurs) insert “ or any other member State ”.
- (4) In paragraph (3)(a), after “Kingdom” insert “ or any other member State ”.

Commencement Information

II Sch. 17 para. 17 in force at 18.4.2011 for N.I. by S.R. 2011/182, art. 2(d)(ii)

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- 18 In Article 73 of that Order (provisions supplementary to Article 72), for paragraph (1)(b) substitute—
- “(b) the contents of—
- (i) the complaint, information, indictment or charge-sheet on which the person in question was convicted, or
 - (ii) in the case of a conviction of an offence by a court in a member State (other than the United Kingdom), any document produced in relation to the proceedings for that offence which fulfils a purpose similar to any document or documents specified in paragraph (i).”

Commencement Information

I3 Sch. 17 para. 18 in force at 18.4.2011 for N.I. by S.R. 2011/182, art. 2(d)(ii)

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