

**2005 No. 1130**

**CRIMINAL LAW, ENGLAND AND WALES**

**CRIMINAL LAW, NORTHERN IRELAND**

**The Crime (International Co-operation) Act 2003 (Designation  
of Prosecuting Authorities) (Amendment) Order 2005**

<i>Made</i> - - - -	<i>7th April 2005</i>
<i>Laid before Parliament</i>	<i>8th April 2005</i>
<i>Coming into force</i> - -	<i>18th April 2005</i>

In exercise of the powers conferred on him by the definition of “designated” in section 7(5) of the Crime (International Co-operation) Act 2003(a), the Secretary of State hereby makes the following Order:

**1.** This Order may be cited as the Crime (International Co-operation) Act 2003 (Designation of Prosecuting Authorities) (Amendment) Order 2005 and shall come into force on 18th April 2005.

**2.**—(1) Article 2(2) of the Crime (International Co-operation) Act 2003 (Designation of Prosecuting Authorities) Order 2004(b) is amended as follows.

(2) The entries “the Commissioners of Customs and Excise;” and “the Commissioners of Inland Revenue;” are omitted.

(3) After the entry in respect of the Director of Public Prosecutions for Northern Ireland insert—  
“the Director of Revenue and Customs Prosecutions and any person designated under section 37(1) of the Commissioners for Revenue and Customs Act 2005(c);”

Home Office  
7th April 2005

*Caroline Flint*  
Parliamentary Under Secretary of State

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(a) 2003 c.32.  
(b) S.I. 2004/1034 to which there is an amendment not relevant to the subject of this Order.  
(c) 2005 c.11.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Article 2 of the Crime (International Co-operation) Act 2003 (Designation of Prosecuting Authorities) Order 2004 designated certain prosecuting authorities for the purposes of section 7(5) of the Crime (International Co-operation) Act 2003. Designated prosecuting authorities can issue a request for assistance in obtaining outside the United Kingdom any evidence for use in criminal proceedings or investigations in the United Kingdom without the need to apply for judicial authority to do so under section 7(1) of that Act.

This Order amends the entry in article 2 of that Order. It replaces the references to the Commissioners of Customs and Excise and the Commissioners of Inland Revenue with a reference to the Director of Revenue and Customs Prosecutions and any member of the Revenue and Customs Prosecutions Office who is designated under section 37(1) of the Commissioners for Revenue and Customs Act 2005. These changes reflect the changes made to the relevant departments by that Act.

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